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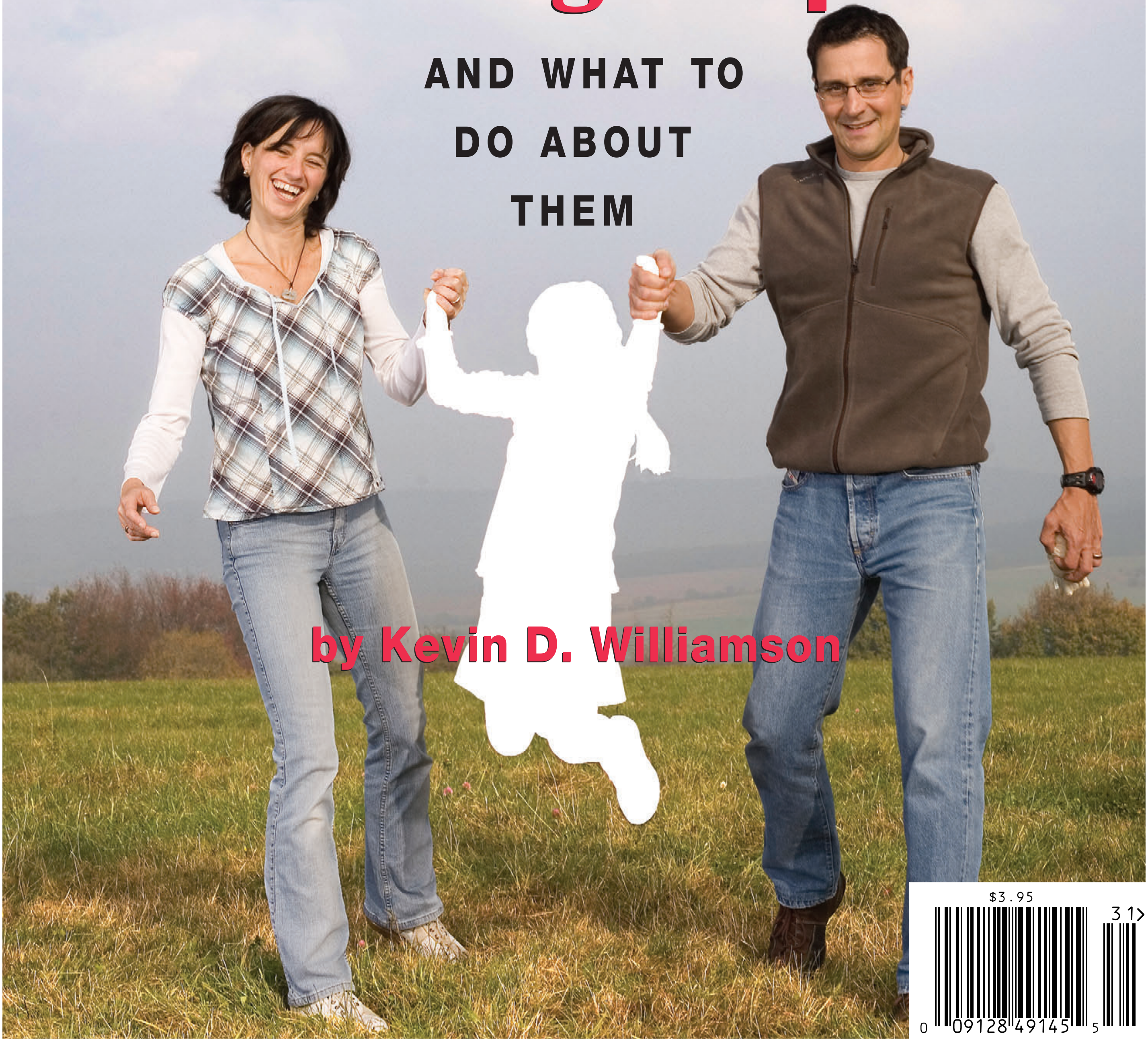
NATIONAL REVIEW



The Missing Adoptions

AND WHAT TO DO ABOUT THEM

by Kevin D. Williamson

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AUGUST 4, 2008 VOL. LX, NO. 14

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■ COVER STORY

Lost Generation

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As an American institution, adoption is in decline and has been for 35 years. The decline isn't in the number of families looking to adopt. Rather, this a supply-side problem. From 1952 to 1972, one in five white unwed mothers and one in ten unwed mothers overall chose adoption. On January 22, 1973, the cultural earthquake that was *Roe* v. *Wade* changed all that. *By Kevin D. Williamson*

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August 4 issue; printed July 17

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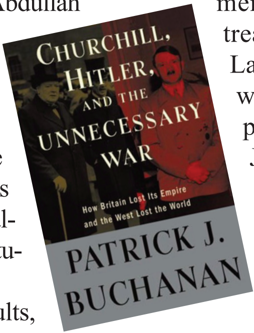
letters to the editor

DIVISIVE OPTIMISM

In his review of Pat Buchanan's book *Churchill, Hitler, and the Unnecessary War* ("Sorry, No," June 30) David Pryce-Jones lists among Churchill's mistakes "the 1922 partition of Transjordan." Sorry, no. What Churchill partitioned (in 1921) was Britain's Palestine Mandate: into a Jewish homeland (not a state) west of the Jordan, and an Arab kingdom across the Jordan, i.e., "Transjordan."



Churchill persuaded Kings Abdullah (Jordan) and Faisal (Iraq) to respect the Jewish homeland, thinking he'd made good the "twice-promised Land" (Balfour to the Zionists, Lawrence to the Arabs). Churchill was convinced the Zionists and Palestinians could coexist for mutual and general advantage.

Among Churchill's real faults, unbridled optimism was prominent.

Richard M. Langworth
The Churchill Centre

DAVID PRYCE-JONES REPLIES: It was a mistake in that the outcome was to ban Jews from ever living in a certain portion of Arab land. The malign long-term consequences of making this ethnic or religious divide should have been apparent at the time.

Also, I must have missed the moment when unbridled optimism became a fault.

DISMAL ARITHMETIC

I was a bit confused reading "Nobody Home" (July 14). In the first paragraph, Kevin A. Hassett writes, "There are currently 129 million homes in the United States, and 18.5 million are empty." That would mean that about 14 percent of all homes in the U.S. are empty.

But the article includes a graph called "Homeowner Vacancy Rate," on which about 2 percent of homes built before 2000 are shown to be vacant, along with about 10 percent of newer homes. Mathematically, then, the total vacancy must rest somewhere between 2 and 10 percent, not at 14 percent.

On their face, the numbers don't seem to add up. Or is there a difference between the percentage of homes empty and the homeowner vacancy rate?

Lois A. Hand
Via e-mail

KEVIN A. HASSETT REPLIES: The difference between the two sets of figures mentioned in the piece is the treatment of rental properties. Larry Lindsey's figures (from which Ms. Hand calculates 14 percent) include them, while Jay Brinkmann's (the graph) do not. Both sets of numbers are relevant for NR readers who own homes. Lindsey describes the scale of the problem, and Brinkmann helps identify those who are most likely to be harmed going forward, namely, those who own new homes. Ms. Hand is to be commended for her attention to detail, and should, especially if she is a masochist, consider a career in economics.

SOUNDS OF BABEL

I am sure that the ladies and gentlemen who wrote the "Week" columns of the July 14 issue are learned, intelligent journalists. But they should not assume everyone has taken French or Latin—I hold an M.S. in education, but never have.

What do "*cheval, restant debout*, seen from the *posterieur*" and "*fiat voluntas nostra sicut in caelo et in terra*" mean? You should stick to English, our national language.

David C. Cowen
Novato, Calif.

THE EDITORS REPLY: We'll meet you halfway, with some clues. For the Latin: Matthew 6:10. For the French: Some English expressions are impolite to print. *Bonne chance! Perfer et obdura; dolor hic tibi proderit olim. Abeunt studia in mores.* Peace out, *et cetera.*

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That’s exactly what we intend to do — demand that our politicians work together to fix the health care and financial security crises in this country.

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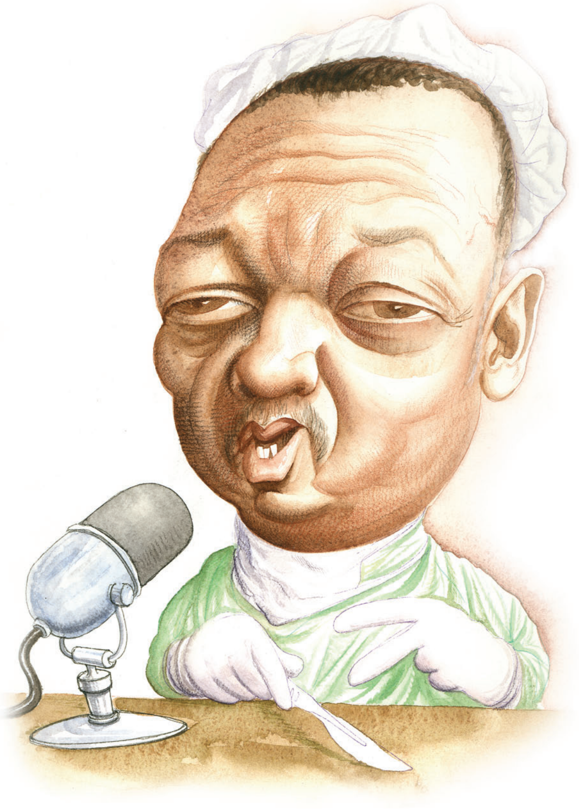
THE WEEK

■ On the other hand, Reverend Jackson, that might have improved the Clinton administration.

■ John McCain's economic plan heavily emphasizes growth, competitiveness, investment, and spending restraint. He would cut the corporate tax, eliminate the Alternative Minimum Tax, and keep the Bush tax cuts. He would let young people invest some of their Social Security contributions. He also pledges to balance the budget by 2013, which has drawn guffaws but should be feasible. It is a worthy plan, but an incomplete one. There is very little here in the way of tax relief for the middle class. They would benefit, of course, from the added growth that McCain's policies would spur, and they would also get a modestly valuable increase in the dependent exemption. But voters are concerned about pocketbook issues. One of the parties ought to stand for letting them keep more of their hard-earned dollars, and it won't be the Democrats.

■ Phil Gramm, a top adviser to McCain, said that we are in a "mental recession," not a real one, and that "we have sort of become a nation of whiners." He later clarified, reasonably, that he did not mean to suggest the economy was strong and that he was referring to our elites as whiners. That the press has jumped the gun in declaring our economy in recession, as Gramm says, is undeniable. But real wages for middle-income workers have been stagnant or declining for years, and comments such as Gramm's suggest that even the brightest Republicans do not see the import of this trend. During the flap over Gramm's remarks McCain joked that he would make him his ambassador to Belarus if the people of Minsk would have him. Gramm should stay by McCain's side—artlessly telling the truth should not be a firing offense—but a sojourn in middle America would do a lot of Republicans good.

■ Teetering on the edge of another "flip-flop," this time on the Iraq War, Barack Obama reaffirmed his support for a 16-month timetable for withdrawal. Never mind that U.S. commanders on the ground doubt that such a rapid drawdown would even be logistically possible. Never mind that his rationale for a drawdown is badly dated, premised on the discredited notion that the situation in Iraq will magically improve just as soon as Iraqis are left to their own devices (actually, the surge has led to enhanced security and political progress). Never mind that sending two additional combat brigades to Afghanistan, as he wishes, would not require pulling all 15 combat brigades out of Iraq (the five additional combat brigades that constituted the surge forces in Iraq will all have left by the end of July). Obama has seized on a statement by Nouri al-Maliki calling for a withdrawal date as part of negotiations with the U.S. over a status-of-forces agreement. But Maliki's statement was theater (Obama should know how that works). No responsible official in Iraq, including Maliki, thinks we can leave in 16 months, although al-Qaeda, Sadrists, and sectarian killers of all stripes surely support the idea wholeheartedly. Obama says he would order the U.S. military to end the war, regardless of conditions on the ground. We hope that, somewhere inside, Obama realizes how irresponsible this is: that he's cynically playing politics with the war rather than being dangerously sincere. But we don't want to have to find out.



ROMAN GENN

■ Obama has released his first two national television ads. They are both biographical sketches that describe Obama as a product of midwestern values who worked his way through college and law school and rose to become a legislator passing bills that reduced welfare rolls and extended health care to returning vets. The trouble is, Obama grew up in Hawaii and Indonesia, didn't work while he was in school (except one summer job in college and one summer-associate position in law school), opposed the welfare reform for which he now takes credit, and had nearly nothing to do with the bill he claims extended health care to vets—he wasn't even present to vote on it. None of this would have to be an issue if Obama didn't raise it, but in his need to offer a biography of presidential caliber, he is forced to stretch and strain in ways that highlight his lack of one. In this "new kind of politics," even the ads are fiction.

Are Democrats Less Patriotic Than Republicans?

OVER THE COURSE of a generation, the far right in America has peddled a story that says conservatives love their country more than liberals. That's patently false. But it's worth asking: What *is* true patriotism?

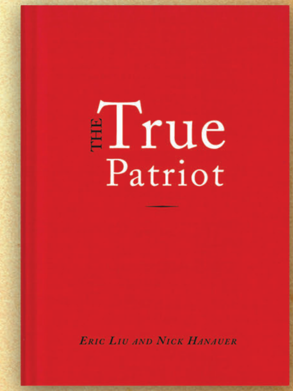
IS IT PATRIOTIC—or even conservative—to support an aggressive expansion of government power to eavesdrop?

IS IT PATRIOTIC—or even conservative—to support tax and fiscal policies that let the wealthiest off the hook, put more burdens on the middle class, and create a massive debt and deficit for the next generation to clean up?

IS IT PATRIOTIC—or even conservative—to throw America's great military into wars and nation-building adventures that have flimsy justification and no definable end?

IS IT PATRIOTIC—or even conservative—to despoil, for short-term profit, America's natural resources and rob our children of their rightful bounty?

We're Democrats, and we've written a little book about the moral code of patriotism. We believe that true patriotism belongs to neither party—but that there are false patriots in both. We believe that true patriotism means progress, pragmatism, and country above self. And we think there are conservatives who would agree. What do *you* believe?



SASQUATCH BOOKS

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THE WEEK...

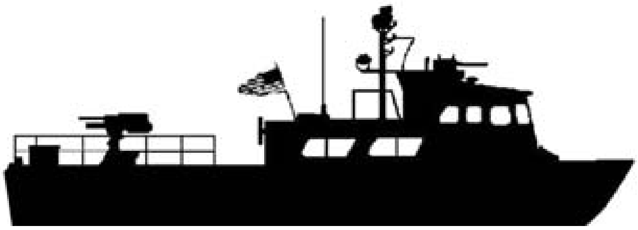
■ Obama said that Americans should worry more about whether their own kids learn Spanish than about whether immigrants' kids learn English. ("They will," he breezily asserted.) Absent a failed immigration policy, however, there is no great reason for Americans to learn Spanish as opposed to some other foreign language. And even with our failed policy, it is far more important for immigrants to learn English than it is for natives to learn other languages. It is also more important for the health of our society that immigrants be assimilated than that Americans be able to impress Europeans on trips abroad, as Obama suggested. On some of the most important issues facing the country, Obama does not have the right answers; he is not even entertaining the right questions.

■ For a brief moment, it appeared that Obama might be moderating on abortion. He suggested that late-term abortion should be permitted only in cases of threats to the mother's physical health, and not merely to keep her from feeling "blue." If he meant what he said, he would have to advocate that the Supreme Court rein in the expansive abortion right it has legislated for the country. Under the Court's precedents, late-term abortion must be allowed to protect a woman's health, defined broadly to include, among other things, her "emotional" and "familial" health. As a result, successful prosecutions of late-term abortionists cannot be brought anywhere. Within a few days of his remarks, Obama "clarified" his words. He meant only to say that the Court already allows serious restrictions on late-term abortions. He does not advocate any new restrictions. In other words, instead of moderating, this former lecturer in constitutional law is telling untruths. Where's the change in that?

■ "We cannot continue to rely only on our military in order to achieve the national-security objectives we've set," Obama proclaimed in a recent speech. "We've got to have a civilian national-security force that's just as powerful, just as strong, just as well funded." So does that mean we're going to spend an additional $500 billion a year, give or take, on the Peace Corps? Maybe its members can help fulfill Obama's recent pledge to arrest the rise of the oceans. Regardless, Obama's plan—with ample me-tooism from Senator McCain—demonstrates that the fetish for "volunteerism," forced or paid or both, is back in vogue.

■ In a TV interview, Barack Obama's children, ages ten and seven, revealed something about their dad: He doesn't like ice cream. Need we say or hear more?

■ Jesse Jackson confided to a hot mike the kind of thought that every politician harbors about at least some of his peers: Listen to the Watergate tapes, or read the "Anas" of Thomas Jefferson. Jackson believed Obama had condescended to a black audience, giving it Bill Cosby–esque advice, and he expressed a desire to change the senator's vocal register. About the condescension, Jackson is surely right. An Obama administration will be a combination of preening and hectoring, disguised as information. Jackson's rude bluster expresses the bitterness of a man whose time has passed. Win or lose, Obama is the current thing in racial politics, and Jackson knows it. Rage, rage against the dying of the light.



■ Have you ever said anything critical of Obama? Shame on you. You might have thought you were simply pointing out his flaws, but in fact you were engaged in "swift boating." The term derives, of course, from the Swift Boat Veterans for Truth, the former Navy officers who served with John Kerry in Vietnam and banded together to criticize his war record in the 2004 presidential race. The Swifties got a few things wrong. But they also scored a few direct hits—remember "Christmas in Cambodia?"—and, as Kerry's fellow veterans, they were rightly outraged at Kerry's claim that Americans had routinely murdered, raped, and tortured in Vietnam. Because they had served alongside Kerry, their critique carried the weight of firsthand knowledge. Democrats and journalists were so enraged that they coined a new verb, to "swift boat." The term "has become the synonym for the nastiest of campaign smears," the *New York Times* declared recently. Now it's common to see stories suggesting that Republicans are planning to "swift boat" Obama. If there's any smearing going on here, it's of the GOP and those veterans who dared to speak out back in 2004.

■ When Hall of Fame pitcher Satchel Paige drew up his "Rules for Staying Young," the first item on the list was "Avoid fried meats which angry up the blood." The host committee for this year's Democratic convention took that advice to heart, instructing food vendors not to serve anything fried—not for health reasons, but because of frying's environmental impact. Other rules deepened the parody of liberal thought, with quotas (half of each meal was to be fruits and vegetables) and mandatory diversity (meals had to include "at least three of the following five colors: red, green, yellow, blue/purple, and white," with "garnishes not included"—no tokenism, please; we're Democrats). After word got out, the party pulled an Obama: disavowing the whole thing, blaming the media for misunderstanding, promising lots of French fries and chicken tenders for everyone, and pledging to "address climate change in more appropriate ways." Paige, who won games by being tricky and deceptive, makes an apt role model for Obama's Democrats.

■ The U.S. government's implicit guarantee of Fannie Mae and Freddie Mac appears to have finally come due. Policymakers are taking steps to prevent the mortgage giants from collapsing. The Federal Reserve has offered access to its discount window, and Treasury Secretary Hank Paulson

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The Coming Tax Hike—and How to Head it Off

Disrupting our economy while leaving the deficit virtually untouched? Not a good idea.

As the presidential campaign enters its endgame, expect more debate over budget priorities and how to pay for them. Do we need tax hikes to restore near-term budget balance and finance longer-term entitlement growth? In a word, no. Such claims fail both budget arithmetic and economic sense. Worse, they undercut the nation's fiscal policies and its commitment to economic growth.

Federal revenues are already high, yet we stand on the verge of a very large tax increase if the Bush tax cuts expire. The personal income tax burden would rise to its highest point in history, relative to GDP. Economic damage caused by the tax increases and tax-avoidance behavior would choke off any promised revenues (and, more immediately, hobble the eventual economic recovery). Meanwhile, the lure of higher revenues would sustain Congress's wasteful ways. A better idea is to fix entitlements to slow their cost growth, cut nonessential spending, and promote economic growth: the greater the growth, the larger the pie.

— By John F. Cogan and R. Glenn Hubbard

A Modest Proposal for Middle East Peace

How to get through to Israel? Let places such as Kashmir, Cyprus, and Tibet lead the way.

Maybe it's time for a new, global approach to Israel and its occupation. Let's get the whole world talking about disputed capitals, the right of return for refugees, land under occupation, the creation of artificial post–World War II states, and the use of force against suspected Islamist terrorists. But why not make it interesting? Let's look for solutions to apply everywhere, not just in Israel.

Perhaps the world could impose a big-power "road map" on long-divided Cyprus. Or relieve all displaced populations—the Germans expelled from East Prussia, this Indians uprooted from ancestral homes in what is now Pakistan, the half-million Jews deported from Egypt, Jordan, Iraq, and Syria after 1967. Can we promise them all the right to return? Then there's lost territory—much of Azerbaijan taken by Armenia, Tibet swallowed up by China—and artificial states (should Pakistan even exist? North Korea?). Surely the world that solves these problems will have much to teach Israel about humility and concessions.

—Paul R. Gregory

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THE WEEK...

has asked Congress for the authority to buy stock in the GSEs (government-sponsored enterprises, of which Fannie and Freddie are instances) to shore up their capital, which many investors think is insufficient in relation to their liabilities. Critics of the GSEs have repeatedly called for higher capital requirements on Fannie and Freddie, but these two have lobbying machines that are the envy of Washington, and Congress mostly ignored warnings that they were growing too large to fail. Now the Bush administration is stuck cleaning up, and it is trying to reassure the markets while minimizing the risk to taxpayers. If the credit markets lose confidence in Fannie and Freddie, it might be necessary for their regulator to put them into receivership and restructure them. It may sound strange for conservatives to back a government takeover of any company, but a takeover aimed at restructuring, downsizing, and eventually reprivatizing the GSEs might be the least-bad option if a run on them materializes.

■ President Bush signed a surveillance-reform bill that the Democrat-controlled Congress, after a shamefully acrimonious three-year onslaught, passed overwhelmingly. The overhaul streamlines the process for court approval of wiretapping (and other eavesdropping) designed by the outdated 1978 Foreign Intelligence Surveillance Act (FISA). It confers immunity from civil lawsuits on telecommunications companies that assisted the administration's post-9/11 surveillance program, which thwarted further terrorist attacks through warrantless monitoring of suspected international terrorist communications. That immunity will keep trial lawyers from creating a disincentive for good-faith cooperation in the government's counterterrorism efforts. Most significantly, the new law restores the government's ability to spy outside the United States without judicial interference. The bill does have significant downsides: It increases judicial meddling in the design of monitoring processes, among other things. But Democratic intransigence made compromise necessary. All in all, Americans are far safer because the president was steadfast.

■ We admired President Bush's 2003 initiative to invest $15 billion to prevent and treat AIDS in Africa. We admired it less when it became a $30 billion initiative at the president's request, and still less when Congress upped the ante to $50 billion. There is much to dislike in the initiative, and the complaints will sound familiar to anybody who has observed how humanitarian-aid funds get spent in the real world: Money is misappropriated or diverted to tangentially related projects, often for reasons of politics. For all its faults, the undertaking represents a decent, pragmatic, and honorable effort to reduce the scale of a human catastrophe. But does it work? Uganda, often held up as an exemplar of the "ABC" approach (ABC = Abstinence, Be faithful, Condoms), saw its HIV rate decline after 1992, but that decline seems to have been caused principally by the mass death of AIDS sufferers, who at the apex of the epidemic composed 15 percent of that country's adults. Now Uganda's HIV rate has begun to climb again. The AIDS initiative is the work of an administration with its heart in the right place—but its head needs to be there, too.

■ Hamilton warned against "the propensity of the legislative department to intrude upon the rights, and to absorb the powers, of the other departments." The Constitution's framers thus empowered the president with executive prerogatives, lest, as Hamilton put it, those powers be "destroyed" by allowing other branches to share or control them, even "in part." In modern times, separation-of-powers principles on which liberty and security depend have been ignored. The 1973 War Powers Resolution (WPR), enacted over a weakened Richard Nixon's veto, is emblematic. Purporting to give Congress a legislative veto over the commander-in-chief's deployment of forces, it has been duly ignored by presidents of both parties. But now, the usual Washington solons have gotten together to "strengthen" the WPR. Led by former secretaries of state James A. Baker and Warren Christopher, they essentially propose reducing the president to a prime minister, barred from committing forces absent congressional approval and micromanagement by a legislative privy council. Fortunately, were this scheme ever to become "law," presidents would ignore it just as they have the WPR—because it is unconstitutional, not because it needs a few kinks worked out.

■ The Supreme Court, in holding the death penalty for child rape unconstitutional, found a supposed national consensus against it. But Justice Kennedy, the controlling and opinion-writing justice, goofed, not realizing that a recent federal statute imposed the penalty in just such cases as part of the code of military justice. There is blame to go around for this mistake. The Justice Department, ignorant of the statute, stayed out of the case. It should have gotten involved to stave off judicial activism, and its involvement might have uncovered the datum. But the burden of proof should be on those who wish to overturn democratic enactments. It is not at all clear that the Court ought to be in the business of divining a national consensus: Congress—which passed the military-justice provision—would seem better suited to that task. If the justices are going to conduct this search, however, it ought to be based on the truth. It's time to update an old courtroom adage: If you can't plead the facts and you can't plead the law, try Justice Kennedy.

PAUL J. RICHARDS/AFP/GETTY

■ Iranian TV has been delivering to its viewers a documentary series on Hollywood—Jewish-Zionist domination of. And the Middle East Media Research Institute has been reporting on this series to the rest of the world. We have learned very interesting things. For example, "Names may be selected for their rhyming value." What does that mean? Well, "'Zion' sometimes becomes 'Ryan,' as in 'Saving Private Ryan.' They [the Hollywood Jews] exploit even the similarity of names." And there was this, about *Fiddler on the Roof*: "It strongly defends the Jews and the view that they are

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CHRONOGRAPH

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THE WEEK...

oppressed. By the way, this film was directed by Norman Jewison, a Jew." By the way, Norman Jewison is a Canadian Protestant. But, in order to make the Iranian regime unhappy, we are all happy to be Jews . . .

■ On July 8, the Czech Republic agreed to participate in a missile-defense system with the United States. It promised to host a powerful radar that will work in conjunction with at least ten interceptors, probably based in Poland. The goal is to protect NATO countries from emerging threats in the Middle East. The deal faces political opposition inside the Czech Republic, and Russia has condemned it, but Iran wasted no time in demonstrating its necessity: On July 9, it tested nine missiles. The next day, it fired more. There was brief mockery when a photo of the tests was revealed to have been altered by Iranian state media to include an extra launching, but this fact hardly diminishes the threat. Left unchallenged, Iran is sure to build long-range rockets that can strike Europe and, eventually, North America. It would be a mistake to let the ayatollahs develop this capability. It would be an even bigger mistake not to shore up our defenses, just in case.

■ Ahmad Batebi is one of the most famous of Iranian dissidents, known to the world ever since *The Economist* published his picture on its cover, in 1999. He recently escaped Iran, and is living in the United States. The *New York Times* published an arresting story about him. As a dissident, he experienced terrible, terrible things—torture (real torture, as opposed to the "her breasts brushed against me" kind). When he arrived at Dulles Airport outside Washington, "Mr. Batebi was astonished to see that the airport worker waving the jet into the gate was a Muslim woman wearing a tight head scarf." (We are quoting the *Times*.) "Mr. Batebi was enthralled, sensing a casual tolerance that was exactly what he had longed for in his own country. 'It

DORLING KINDERSLEY/GETTY

Vice Trade

SPAGHETTI ALLA PUTTANESCA is one of my least favorite dishes. It's made with olives, anchovies, and capers: three things that should stay out of any red sauce, if you ask me. But I do love the name. It means "whore's spaghetti" or "spaghetti, whore-style." The name most likely stems from the fact that Neapolitan prostitutes made the dish from leftover scraps because they didn't have much time to go to the market or make dinner between appointments and didn't want to inconvenience their patrons.

I've long wanted to use the phrase "Politica alla puttanesca," but I've never quite found the right context. Until, perhaps, now.

The Democratic party has led the way in demonizing perfidious "speculators" in the oil market (though, lamentably, some Republicans have joined the dance). "We are putting oil speculators on notice," proclaimed Nancy Pelosi, at the forefront of the witch hunt. "We need to crack down on excessive speculation," Senate majority leader Harry Reid exclaimed after President Bush lifted the executive order banning offshore drilling (Congress has its own ban). It's a pas de deux of populist asininity in which ignorance and cynicism take turns in the lead.

The ignorance is incandescent. Democrats talk as if commodity traders can, on a whim, conspire to inflate global oil prices indefinitely. There may indeed be a bubble, but the idea that there's mustache-twirling villainy behind it is absurd. Nearly half the traders in the oil market think the price will go down. Indeed, sellers and buyers almost by definition disagree on the direction of oil prices.

Worse, Democrats want oil prices to go up. They keep vast reserves of petroleum off the market. They want higher gas taxes. They think we've hit peak oil and consider skeptics on this point to be knaves, yet it hasn't occurred to them that if we've started to run out of oil, oil prices will go up. And then, when the market actually confirms their arguments and produces their desired results—greater conservation, better fuel efficiency, etc.—they opt for theatrical outrage, aimed in part at bilking the johns for even more money.

Consider Democratic senator Dick Durbin. The Chicago-based commodities market is his client base, as it were. If his party were remotely serious, a wave of financial Comstockery would befall the Second City speculators. Again, if they were serious. It turns out it's all a kinky game. While the Democrats crack the whip on speculators in front of the cameras, Durbin takes the lead on "reform" legislation. His quickly slapped-together proposal amounts to nothing. Congress has rushed to the bonfire of speculation not with fire hoses, but with firm promises to study the issues more. According to the *Wall Street Journal*'s Kim Strassel, one Republican mockingly calls Durbin's toothless legislation the "Just Keeping Doing Exactly What You're Doing with a Little More Money Act."

Translation: Politica alla puttanesca.

—JONAH GOLDBERG

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THE WEEK...

seems to me that people here are free to live their lives, as long as they do no harm to anyone else,' he said." On his blog, he had a message for the Iranian regime: "Your hands will never reach me." (Let us hope that is true.) And he invited them to click on a link, which led to a photo: It showed him, satisfied and confident, in front of the U.S. Capitol.

■ The Bush administration decided to remove North Korea from its list of terror sponsors, and to lift some economic sanctions against it, in return for details about the plutonium it acquired from the now-shut-down Yongbyon reactor. And there was much rejoicing. Upon which we throw cold water: Kim is still sitting atop a nuclear arsenal, and has not committed to destroy it. He has not disclosed—as required by the six-party agreement—anything about the uranium-enrichment activities of which he is suspected. Also required, and also dodged, is disclosure of the extent to which North Korea has provided nuclear technologies to client states, particularly Syria, whose efforts to build a nuclear reactor it assisted even after the six-party agreement was concluded. Its cooperation with Iran on ballistic-missile technologies proceeds without a hitch. The shutting down of Yongbyon is entirely symbolic: The reactor had reached the end of its life, and had yielded pretty much all the plutonium it could. And there is no effective verification mechanism in place to ensure that Kim is telling the truth about anything. His mind is a mystery. What we know is that, with each incremental easing of sanctions and penalties, he has less reason to give us the concessions that matter most.

■ Following the example of Seoul in 1988, Chinese authorities have banned the sale of dog meat and dishes made from dog for the duration of the Summer Olympics, so as not to offend the sensibilities of visiting foreigners. That our sensibilities might be offended at the news of dissidents' being hustled off to camps to ensure a protest-free Olympics—the latest victims were two Catholic priests—seems not to have occurred to anyone in the Chinese Communist Party.

■ The U.S.-India nuclear-technology accord is barely news in Washington but dominates the headlines in New Delhi, where Prime Minister Manmohan Singh risked the collapse of his government trying to hammer through the accord before George W. Bush hangs up his spurs. The pact recognizes the facts—India is a nuclear power—and will help to mitigate the associated risks by requiring India to open its facilities to a broad range of international inspections. In exchange, India will have the opportunity to purchase nuclear technology from the United States. Once India has approved the deal, Congress will have to act to finalize the arrangements. And therein lies a risk, the name of which is Barack Obama. Captive to Democrats' traditional hostility to all things nuclear, Obama tried to undermine the India deal in the Senate but now says he supports it—with reservations. (Senator McCain supports the deal unreservedly.) Obama's advisers say he remains "highly ambivalent," which apparently is how Manmohan Singh sees it, too. Thus the rush job. It is telling that a key American ally would rather take the political risk of executing a fraught accord with Bush today than wager on Obama tomorrow.

■ The United Nations Security Council has rejected a resolution by the U.S. and the U.K. to impose tougher sanctions on Robert Mugabe, president of Zimbabwe these past 20 years, and key members of his government. Actually Mugabe and his men are not a government at all, but a gang of racists and murderers who have hijacked their country and ruined it. This year alone, Mugabe has stolen two elections. In the Security Council, China, Russia, South Africa, Libya, and Vietnam voted against the proposed sanctions. China has a large economic stake in the raw materials of Zimbabwe, and in common with the others is afraid of coming under sanction for its own oppressions and violences. Mugabe of course is happily hailing his U.N. "victory." How bad does a tyrant have to be in order to earn the U.N.'s disapproval?

FRANCOIS DURAND/GETTY

■ Ingrid Betancourt's ordeal is finally over. Six years ago, running for office in her native Colombia, she was abducted by FARC, the self-described Marxists who really are nothing but narcoterrorists. Ever since, she has remained a victim, deprived of her family (including two growing children), a witness to the cruelty of her captors. The Colombian government of President Andrés Pastrana tried to appease the thugs, but the more they were given, the more they took. His successor, Álvaro Uribe, decided instead to defeat them militarily, and he has been highly successful. In this campaign, the rescue of Ingrid Betancourt was a brilliantly inventive stroke, reminiscent of Entebbe in Uganda, where the Israelis freed hostages from an aircraft hijacked by German and Palestinian terrorists. Once the Colombian army had located the jungle spot where Betancourt was being held, it sent in helicopters with an armed squad dressed as friendlies—complete with Che shirts—who pretended to have instructions to move her to some other place. The deception worked. Not one shot was fired. Along with Betancourt, three American hostages who had crash-landed in FARC territory were freed. The main element in defeating terror is the will to do so, and that's the moral of this story with a happy ending.

■ Tayside is in Scotland, and its police put out an advertisement for a new telephone number, attracting attention by showing a police cap with a German Shepherd puppy sitting on it. Mohammed Asif is a city official and a member of the Tayside Joint Police Board as well. He took it on himself to complain that this supposedly jolly poster was causing outrage to Muslims, on the grounds that Islamic injunctions warn them against contact with dogs, regarded as "unclean." A spokesman quickly apologized for the fact that the police had not sought "advice from the force's diversity adviser." The issue became national.

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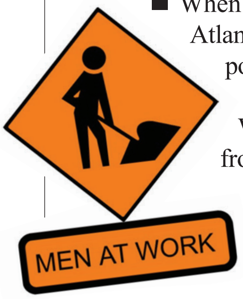
THE WEEK...

The Association of Chief Police Officers had a solution. In future, sniffer dogs searching mosques or Muslim homes for weapons and drugs will be wearing bootees with rubber soles. Several Muslims, an imam among them, had the courage to denounce this nonsense. A spokeswoman for the Kennel Club brought up one of those contradictions that philosophers love, showing how desired ends are often incompatible: “We would not condone any attempt to make search dogs wear special clothing, which could cause them distress.”

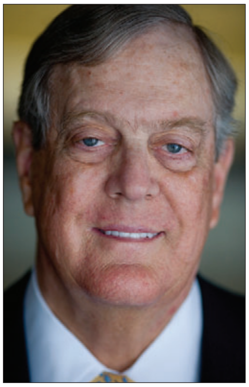
■ A black hole is an object—commonly a collapsed star—so dense that even light cannot escape its gravitational field. The term dates from the 1960s; actual black holes have been observed (indirectly, by their effects) since the 1970s. Once the concept had leaked out from astrophysics into general circulation, “black hole” became a natural and expressive way to tag any situation from which nothing useful ever emerges. That is the sense in which it was used at a recent meeting of the commissioners of Dallas County, Texas, in reference to the county’s central collection office for traffic tickets. The speaker, however, was a white person, and commissioner John Wiley Price, who is black, objected that the term is racist. The whole absurd drama over “niggardly,” the last Abominable Word, is now being replayed. Mr. Price by no means restricts his objections to astrophysical metaphors: “If it’s ‘angel food cake,’ it’s white. If it’s ‘devil’s food cake,’ it’s black,” he whines. Time was people did not take offense when plainly none was intended. Nobody would be that sensible nowadays.



■ When the public-works department of the city of Atlanta needed to dig up a street or erect a utility pole, they put out orange signs with black lettering saying “MEN AT WORK” or “MEN WORKING AHEAD.” No more: After protests from Cynthia Good, a local feminist, the signs have been replaced with more gender-neutral ones. Honks Ms. Good: “We’re calling on the rest of the nation to follow suit and make a statement that we will not accept these subtle forms of discrimination.” We’re calling on Ms. Good to get herself a life, while quietly wondering how these signs survived for 40 years into the Age of Hypertrophied Sensitivity.

■ The practice of text messaging on cellphones has added some new abbreviations to the language, not all of them welcome to fastidious users of the English language. There is nothing much wrong with “lol” for “laugh out loud.” Nor is “omg” objectionable, if interpreted as “Oh, my goodness!” Many people, however, would regard “wtf,” an expression of baffled surprise, as over the line. In deference to those people, the North Carolina Division of Motor Vehicles has offered free replacement license plates to nearly 10,000 motorists whose plates happened to include that combination of letters. The DMV has also changed the sample license plate shown on its website, which bore “WTF-5505.” What the heck were they thinking?

■ The law, business, and economics faculties at the University of Chicago had a bright idea—actually, a rather obvious one: name a research institute after Milton Friedman. But some 100 professors throughout the university had another idea: block the naming of the institute after Friedman. Why? Because, in the words of the *New York Times*, “the honor could be interpreted as a wholesale endorsement of Friedman’s free-market ideology.” First, Friedman was one of the best things that ever happened to the University of Chicago. Second, he was one of the best things that ever happened to people, especially the poor. As our colleague Roger Kimball said, it would be nice if Friedman’s foes had to live under socialism, while the rest of us enjoyed “the fruits of an economic system that actually works.” Obviously, we hope that Chicago goes through with the Friedman Institute: honoring itself, while honoring one of the great thinkers and doers of our time.



ROBERT CAPLIN/RAPPORT

■ David H. Koch is a businessman, billionaire, and doer of good deeds. He is also a libertarian—in fact, a Libertarian. He was the party’s vice-presidential nominee in 1980. And he serves on the boards of the Cato Institute and Reason Foundation. His latest big gift was to Lincoln Center, the performing-arts campus in New York: 100 million smackers. In the past, the rich reliably supported the arts: Think of Prince Esterházy and Haydn, or Count Razumovsky and Beethoven. Today, the rich still support the arts, especially in America. Europeans, and American liberals, are always saying that Europe is better, because, there, the government pays for the arts. (I.e., taxpayers do.) In America, we rely primarily on private giving. Well, if they’re so much better—how come the performing arts are more vibrant in America than anywhere else? And how come practically the whole world seeks to study and make a career here? In any case: Bravo, Maestro Koch.

■ Sir John Templeton was one of the world’s great stock pickers. He used his financial talents to enrich not only himself, but also those who invested with him. As a mutual-fund pioneer, he helped democratize the bounties of capitalism. Yet he was concerned about more than material rewards. A Presbyterian, he believed in the need to increase “spiritual information” and devoted considerable sums to an ecumenical philanthropy in this area. The Templeton Prize—the most lucrative in the world—is one result. Its recipients have included Mother Teresa, Billy Graham, Aleksandr Solzhenitsyn, and Michael Novak. Templeton made sure that his gifts would outlast him; he leaves behind the John Templeton Foundation, which will devote its $1.5 billion endowment to a variety of causes, including free enterprise, character formation, and the reconciliation of science and religion. He died on July 8 in the Bahamas, aged 95. R.I.P.

■ Back in April 2006, the White House desperately needed Tony Snow. The war in Iraq was going badly, the CIA leak investigation was a constant irritation, and the president was plummeting in the polls. So one of the first priorities for new chief of staff Josh Bolten was to find a new and effective voice for the president's policies. Bolten found Snow, an old colleague from the first Bush administration who had gone on to radio and television stardom. (He had also been a sharp columnist and editorial writer.) By joining, Snow did the White House a great service; he lent his credibility and popularity, earned over years, to a very tough assignment. And he did it with tremendous skill and good humor, quickly becoming the best thing that ever happened to the Bush White House briefing room. Sometimes it was hard to believe that Snow—usually the sunniest guy in any room—had recently survived a bout with colon cancer and was always at risk of another. The cancer returned, but he kept up that winning good humor, showing us all how to live with a terribly bad break. Tony Snow died July 12 at the age of 53, a good and admirable man. R.I.P.

■ Patricia Buckley Bozell was the seventh of the Buckley children and, as WFB put it, the one with whom he was "paired from infancy." She married Bill's best friend and debating partner from Yale, Brent Bozell, and set about producing a family as large as the one she had been raised in. Never a silent partner, she was actively involved in Brent's public life, first in defense of Senator McCarthy (and Trish had wonderful stories about a side of Joe McCarthy most people never knew) and then in the early days of NATIONAL REVIEW. When, in 1966, Brent's politics diverged from NATIONAL REVIEW's, in the direction of viewing all of public life through a militant Catholic prism, Trish went with him, serving as managing editor of *Triumph* and keeping that struggling magazine afloat, but never letting disagreement weaken her bonds with her siblings at NR. She suffered with her husband in the 1970s, when he was stricken by severe manic depression, and later rejoiced at his emergence into holiness. She would never turn her back on life—but at age 81, she was quite ready to leave this world and join Bill and Brent in life everlasting. R.I.P.

THE LAW

A Right Restored

THE Supreme Court struck down the District of Columbia's strict ban on handguns as a violation of the Second Amendment. That amendment, protecting "the right of the people to keep and bear arms," has been one of the two provisions in the Bill of Rights that the Court has done nothing to enforce. (The other is the restriction on quartering soldiers in private residences without the owner's consent, which does not have to be enforced because it is not violated.) The Court's decision ends this anomaly and restores common sense to the interpretation of the amendment.

Liberals maintain that the amendment's meaning is elusive because it includes the prefatory words "A well regulated Militia, being necessary to the security of a free State . . ." They say, further, that the Court has just read these words out of the amendment in a piece of judicial activism from the right. They are mistaken. The disputed words explain why the right to own guns is important, but do not limit the right. They are there to instruct the citizenry, not to determine judicial decisions. In a like manner, the preamble to the Constitution is neither a source of judicial power nor a limit on it.

The limits on the right to own guns can be found in history and logic. The right to free speech can be regulated, and so can gun rights. But as Justice Antonin Scalia put it in the Court's opinion, the Constitution rules out certain policy choices, including a ban on guns.

Liberals have been apoplectic not only about the legal propriety of the ruling but about its practical consequences. They have portrayed it as a victory for thugs—although criminals in D.C. seem to have had untroubled access to weapons even with the statutory ban. They have also suggested that suicide rates will go up, a claim with very little evidence to support it. (The National Academy of Sciences so concluded.)

It is not activism when the Supreme Court nullifies a law that violates an explicit provision of the Constitution. D.C. residents will now be able to defend themselves, and to live a little more freely, thanks to that Constitution and five justices who were faithful to it.

OBITUARY

Jesse Helms, R.I.P.

JESSE HELMS began his political career, as one of North Carolina's most popular radio commentators, upholding the politics of segregation. There are second acts in American lives, pace F. Scott Fitzgerald, though in the wake of Helms's death, liberals have been unwilling to forget his first act. Nor should it be forgotten: Segregation was a bad system that did not want to die; Helms—and the early NATIONAL REVIEW—defended its right to live.

This does not mean that Helms's spirited opposition, after he had become a senator, to affirmative action—most pungently expressed in the white-hands ad he ran in his 1990 race with Harvey Gantt—is invalidated by his past. The left-wing poses that Barack Obama, and Bill and Hillary Clinton, struck in their youth do not, by themselves, undermine their later liberalism. Opinions must stand on their own feet. If liberals want to argue that keeping white people out of jobs reserved for black people is a legitimate way to repair old injustices, let them.

Helms fought zealously for the whole conservative agenda of the Reagan years. He made those years possible by throwing his Tar Heel machine behind Reagan in the 1976 North Carolina primary. Reagan was a fizzling rebel going into that contest. His victory made him an almost-equal challenger to Gerald Ford—and enabled him to run again, successfully, in 1980. On abortion and the Cold War, Helms took the right stands.

Associates, enemies, and employees all testify to his geniality and his lack of senatorial "side."

Jesse Helms was an idealist who threw hardball, 100 mph. Dead at 86. R.I.P.

ROBERT LABERGE/GETTY

■ 2008 ■

Kick Saves in St. Paul

But can Tim Pawlenty put a puck in the Naval Observatory?

JOHN J. MILLER

GROWING up in Minnesota, Tim Pawlenty played a lot of hockey. “I was mostly on defense,” he says. Today, as the state’s Republican governor, he still skates in pick-up games. Around lunchtime on Fridays in the winter, he’s often at a rink. Back at his desk in St. Paul, however, he sometimes feels like a heavily padded goaltender, kicking away bills passed by the Democrats who dominate the statehouse: He vetoed 34 of them in this year’s completed session. “I have strapped on the political goalie equipment,” he said on May 31 at the state GOP convention in Rochester. Then he flashed the red pen that he uses to halt legislation. The partisan crowd acted as if it had just watched Pawlenty make a diving save in sudden-death overtime.

Not all Americans pay as much attention to hockey as Minnesotans, but Republicans around the country have started to take notice of Pawlenty. He has won two gubernatorial elections in a famously liberal state as a self-proclaimed conservative. Just about everyone assumes he’s on John McCain’s vice-presidential short list. For a party that’s looking for new ways to attract voters, Republicans could do a lot worse than this tall and lanky 47-year-old. Even so, Pawlenty can’t quite shake off suspicions about his political principles.

“There are a lot of questions about whether he’s truly a conservative or whether he’s a conservative because he has to be,” says one of Minnesota’s top Republicans. In certain respects, the concern is a surprise: Pawlenty is pro-life and pro-gun, with actual accomplishments in these areas. As governor, he has signed bills requiring waiting periods for abortions and allowing concealed-carry permits for handguns. Yet he’s also made some startling statements. “The era of small government is over,” he declared two years ago, in a newspaper interview. “Government has to be more proactive, more aggressive.”

So just how conservative is this would-be vice president?

Nobody doubts Pawlenty’s determination or focus—after all, this is a guy who runs marathons. (His best time, he says, is 3 hours, 43 minutes.) As an undergraduate in 1982, he held a full-time job in the campaign office of David Durenberger, a Republican senator, while carrying a full course load at the University of Minnesota. He went on to earn his law degree there and began climbing the political ladder.

He joined the planning commission in the Twin Cities suburb of Eagan and then won election to its city council. He captured a seat in the state legislature in 1992 and eventually became the majority leader. “He’s very smart and disciplined,” says former Democratic congressman Tim Penny, who ran in the 2002 governor’s race as the chosen successor of Gov. Jesse Ventura, the former wrestler. “He’s a natural politician. I compare him favorably to Bill Clinton in his ability to grasp the details of policy and convey them to voters.”

Pawlenty won that three-way 2002 gubernatorial race with 44 percent of the vote. In 2006, he won reelection by a single percentage point, gaining 47 percent in another tough three-way contest, in a year that saw plenty of other Republicans in Minnesota and elsewhere get booted from office. “People just want to vote for him,” says John Hinderaker, a Minnesota Republican who helps run the popular Power Line blog. “He has what advertisers would call a high Q Score—he’s just fundamentally likable, in a way that has nothing to do with checking boxes on political issues.” In May, Pawlenty enjoyed an approval rating of 54 percent.

The first time he ran for governor, he had to win the GOP nomination over Brian Sullivan, whom many Republicans regarded as the more conservative candidate. During that race, Pawlenty came up with his most memorable quote: “We need to be the party of Sam’s Club, not just the country club.” On one level, the line was meant as a swipe at Sullivan, a wealthy businessman. Yet Pawlenty insists that there was more to it: “It wasn’t about class warfare. It was about building on a base and growing it to include Reagan Democrats.”

Pawlenty himself is a product of the working class. His father was a truck driver and his mother a housewife who died when he was a teenager. He was the youngest of five kids and the first to go to college. “There weren’t many yuppies or metrosexuals on the block where he grew up in South St. Paul,” says Mitch Pearlstein of the Center of the American Experiment, a free-market think tank in Minneapolis. Raised a Catholic, Pawlenty married a Baptist, Mary Anderson, who was until recently a district-court judge. They attend a megachurch whose senior pastor, Leith Anderson (no relation), is head of the National Association of Evangelicals.

It remains to be seen whether Sam’s Club Republicanism will become anything

Catholic *ATTITUDE*

Have you ever wondered why so much of Catholicism is gutless, anemic, and wimpy these days? Is it because there are so many touchie-feelie types in the priesthood? You know, "Let's all hold hands now and sing 'All Shall Be Well,' and then let's give one another a big hug." It's like being back at some goofball summer camp.

And we get campfire sermonettes with all the substance and nutrition of a marshmallow. Where's the beef? We rarely, if ever, hear anything about the Church's teachings on abortion, contraception, euthanasia, homosexuality, premarital sex, pornography, consumerism, the indissolubility of marriage, Just War doctrine, or Hell.

But we *do* hear about the Church's "controversial" teachings from the newspapers and the evening news, which of course put the worst spin on them and never give the rationale for them. Rarely will a priest or religious instructor explain *why* the Church teaches as she does, much less with conviction and passion. How pathetic!

We sit around hearing from fey priests about tolerance and diversity, and how all religions are equally true — but since the various religions teach radically different things, that's patent nonsense. Hey, it's time to get rid of those pablum pushers and replace them with real men.

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Our degenerate culture has seduced much of the Church. And many of our Catholic leaders play lovey-dovey with the culture, the Culture of Death. Case in point: Most of our bishops are deathly afraid to bar pro-abortion Catholic politicians from Holy Communion. This is not a matter of politics; it's a matter of saving souls, souls who may well eat and drink unto their own damnation (1 Cor. 11:29). Is it that many of our bishops would rather be popular than save souls?

In the clerical sex scandals, over 80% of the predations involved boys. Homosexuals must be eliminated from the seminary, priesthood, and episcopate. You don't put men with same-sex attractions in an all-male environment.

Pope Felix III said, "Not to oppose error is to approve of it." Silence is *not* golden; it's yellow. We've got "cheek" (says *Newsweek*), and "This two-fisted magazine has had enough of emasculated Catholicism" (says *The Remnant*).

Among those who've written for us are Walker Percy, Alice von Hildebrand, Piers Paul Read, Anne Barbeau Gardiner, Tom Bethell, and Michael S. Rose (whose book *Goodbye, Good Men* exposed the homosexual rot in many of our seminaries).

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more than a slogan. In *Grand New Party*, Ross Douthat and Reihan Salam have tried to construct a political strategy around the phrase. Pawlenty says he hasn't read their book yet, but he agrees that Republicans must do a better job of appealing to working-class voters: "People who shop at Sam's Club and Wal-Mart want value, which ties into the Republican message of reform, accountability, and limited government." After singing the praises of these low-price merchants, Pawlenty points out that consumers can get good deals at Target, too. "It's a Minnesota company," he says with a smile.

In certain respects, Pawlenty might be described as a McCain Republican, which explains why conservatives are uneasy.

As a state lawmaker, Pawlenty played a leading role in shepherding tax cuts through the legislature. As governor, he has tried to protect these gains. "Our goal was to get the state out of the top ten in taxes and we did it," he says. In 1997, according to the Tax Foundation, Minnesota had the country's fourth-worst state-and-local-tax burden. Last year, it was eleventh.

None of this was inevitable. When he became governor, Pawlenty's first task was to eliminate a budget deficit of more than $4 billion. "It was a huge problem and everybody was calling on him to raise taxes," says Vin Weber, the former Republican congressman from Minnesota. "But he held out—his record on taxes and spending has been phenomenal." Through a mix of reduced spending and accounting maneuvers, he changed the deficit into a surplus. The Cato Institute—always a tough grader in its fiscal-policy report card on governors—gave him a B.

Two years later, Minnesota faced another crunch—and Pawlenty arguably caved in on his promise not to raise taxes when he agreed to slap a new "health-impact fee" on cigarettes. It came after a partial government shutdown, which lasted several days due to a deadlock with Democrats in the state legislature. "I didn't think it was a good idea, but we had to compromise to end a difficult situation for my state," says Pawlenty. The Cato Institute lowered his grade to a C. One of the governor's most outspoken critics at the time was David Strom, now with the Minnesota Free Market Institute, a think tank. "The cigarette tax was a mistake, but Pawlenty's overall record on taxes is quite good," he says. "If I were grading him on fiscal policy, I'd give him a B-plus or an A-minus."

Pawlenty has called for aggressive tax-limitation measures, such as a law that would prevent the state government from expanding faster than the combined rates of inflation and population growth. So far, this remains a far-off fantasy—and in recent months, Pawlenty has reverted to the role of goalie. In February he vetoed a tax hike, including an 8.5-cent boost in the gas tax. But the Democrat-controlled legislature, with an assist from a few renegade Republicans, overrode him. Pawlenty did manage a small victory in the spring, when Minnesota capped property-tax increases over the next three years.

Despite this, some conservatives have no trouble compiling a list of gripes about Pawlenty's tenure: He proposed to open a state-run casino near the Mall of America; he signed a bill than bans smoking in public places, including private restaurants; and he championed a new stadium for the Minnesota Twins baseball team, in a public-subsidy deal that hikes the sales tax in Hennepin County. Although he has vetoed legislation that would increase the minimum wage, he has also signaled his willingness to approve a bill that would boost it, just not quite as high as Democrats want. As head of the National Governors Association, he called on the Bush administration to expand children's health-care coverage. Questioned about this, Pawlenty has said that he was speaking for the NGA and not necessarily for himself, though this seems awfully close to a distinction without a difference.

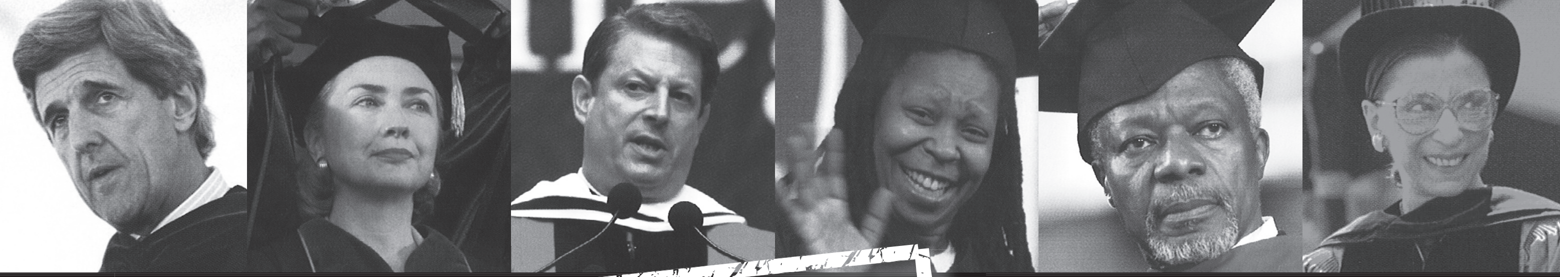
Pawlenty met McCain in the late 1980s, when he and his wife drove the senator around Minnesota to various events. Although he backed George W. Bush over McCain eight years ago, Pawlenty endorsed McCain in 2006—early in the current cycle. "History calls out leaders," he says. "These times are calling him out."

In certain respects, Pawlenty might be described as a McCain Republican, which explains why conservatives are uneasy. He's open to a cap-and-trade regime for greenhouse gases, and he pushed for the reimportation of prescription drugs from Canada. On biofuels he's actually to McCain's left, having advocated ethanol mandates in Minnesota's gas pumps. But on the McCain-Kennedy immigration bill, he says, "If I were in the Senate, I don't think I would have supported it. It's a matter of sequencing. The McCain-Kennedy bill is reasonable, but only after we control the border and win the confidence of the American people."

Geography is one of the main arguments for putting Pawlenty on the GOP ticket. While Minnesota hasn't given its electoral votes to a Republican since Richard Nixon carried 49 states in 1972, the last two elections were tantalizingly close: 51–48 percent for John Kerry in 2004 and 48–46 percent for Al Gore in 2000. On the other hand, most polls show Barack Obama with a big lead over McCain in Minnesota, and Pawlenty's support couldn't propel McCain to victory in February's GOP caucuses: Mitt Romney won, with McCain a distant second. Still, Obama might stumble in rural areas that normally lean Democratic, and the Democrats' likely choice of comedian Al Franken as their senatorial candidate has a lot of Republicans snickering. The table could be set for an upset.

Would Pawlenty consider joining McCain's ticket? "I don't have designs on that, but I'm honored to have my name mentioned," he says. "I have no reason to believe I'm being vetted. Nobody has asked me to submit any information." If he is being vetted, the McCain campaign will discover that the governor once promised to serve the entire four years of his second term. It's the kind of pledge that voters might forgive him for breaking, though it could also conflict with McCain's reputation for straight talk.

One Minnesota Republican finds the governor's goalie metaphor amusing. "The thing you have to remember about goalies is that they may block shots, but they never score," he says. That's almost true. A handful of times in NHL history, a goalie has put the puck in the other team's net. More often, goalies earn assists for making passes on scoring plays. McCain may decide that he needs exactly this kind of helper as his campaign enters its third and final period. **NR**



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■ 2008 II

Bench Marks

Sizing up McCain on judges

BYRON YORK

TED OLSON has spent much time in the last year reassuring nervous Republicans. The conservative legal star, former solicitor general, and champion of *Bush* v. *Gore* headed up Rudy Giuliani's legal-advisory team in the early primaries. Now Olson is backing John McCain, and, just as with Giuliani, he has had to address the concerns of conservatives who worry that the candidate isn't very strong on judges.

"There's a residual level of distrust out there because of things like McCain-Feingold and the Gang of 14," Olson told NATIONAL REVIEW. "I've told them that John McCain, in my opinion, is a man of his word. I said to him, 'The one question conservatives are going to ask is whether you're going to be solid on judicial appointments.' He gave his word to me, and we talked about it at some length." Olson has been able to ease many a troubled conservative mind, but there remain some loyal members of the Republican base who just don't trust McCain when it comes to one of their most important issues.

On McCain-Feingold, critics such as George Will have suggested McCain would be loath to nominate anyone who might vote to strike down his signature campaign-finance-reform law. Olson has written briefs in opposition to the law but as solicitor general defended its constitutionality. He does not believe McCain would press the campaign-finance issue with potential nominees. "I am convinced he will appoint judges without asking them how they feel about McCain-Feingold," Olson says. But McCain has also pledged to nominate judges from the school of John Roberts and Samuel Alito. Doesn't he know that judges in that tradition would likely believe McCain-Feingold is unconstitutional? "He will appoint judges and justices who are in that mold," Olson says.

On the Gang of 14, McCain's defenders point out that the deal forced Democrats to back down on some filibustered nominees—William Pryor, Priscilla Owen, and Janice Rogers Brown, among others—whom they had sworn never to let through the Senate. The Gang also helped pave the way for the successful confirmations of Roberts and Alito. And while it frustrated Republicans who wanted to put an end to the Democrats' unprecedented use of the filibuster to stop an entire slate of judicial nominations, it also left the filibuster option open—a result many in the GOP didn't like at the time, but one they might view more favorably should they face a President Obama and 56 or 57 Democrats in the Senate.

Even if conservatives overlook McCain-Feingold, and even if they believe the Gang of 14 did more good than harm, there is still a fundamental problem with McCain and judicial nominations: He doesn't seem to care all that much about the issue. McCain won the Republican nomination on the strength of his national-security experience and has spent most of his time as a senator working on the Armed Services and Commerce Committees. Although he hasn't been on the wrong side of any big judicial-confirmation fights, he hasn't been out front on the right side, either.

Just look at McCain's role in the selection of federal judges in his home state of Arizona. While appellate-court nominations often attract a lot of attention, the lower district-court nominations are usually the work of home-state senators, who suggest names to the White House, which vets them and sends them to the Senate. Even though McCain is the senior senator from Arizona, he has shown little interest in recruiting those lower-level nominees. "He has said to me, 'Judges are your area of expertise—pick who you want,'" says Sen. Jon Kyl, McCain's Republican junior colleague from Arizona and a top member of the Senate Judiciary Committee. "He has been very agreeable to my recommendations—never had an objection." As a result, Arizona has a bunch of solidly conservative district judges who may someday move up to higher courts.

There are a couple of ways to look at that. One is that McCain, busy with defense and business issues, respects Kyl's conservative views and has deferred to them. But one could as easily conclude that McCain simply isn't much interested in judicial nominations and has been happy to let someone else do the heavy lifting—not a great attitude in a president.

There are indications McCain is changing. He knows that as president he would have to pay attention to issues that did not capture his imagination as a senator. And since he has not concentrated on judicial questions up until now, he knows that soliciting the right advice will be critical. "Supreme Court nominations are a big

ROMAN GENN

deal, and you have everybody and their uncle telling you what to do," Kyl says. Kyl called Olson a "great pick" for an adviser and added, "I know that he has talked to people like Rep. Trent Franks from Arizona and Sam Brownback in the Senate, and so, assuming that he relies on the judgment of people like that, I would have every reason to expect that his nominations would be appropriately conservative."

McCain laid out his thinking on judicial nominations in a speech on May 6 at Wake Forest University. He said he will look for candidates who have both excellent legal qualifications and "a proven commitment to judicial restraint. I will look for people in the cast of John Roberts, Samuel Alito, and my friend the late William Rehnquist—jurists of the highest caliber who know their own minds, and know the law, and know the difference."

McCain hit all the right notes, and the speech was well received. But more than a few McCain supporters were disappointed when he did not seize the opportunity presented by three major Supreme Court decisions—on detainees, the death penalty, and the Second Amendment—to revisit the issue in a comprehensive way. Each of those rulings was decided by a 5–4 margin, and each added more proof, as if any were needed, that the next president's nominations will be crucial to the court. It was a teed-up opportunity for McCain to take a base-bolstering stand on judges. But he didn't. "We have not used [the decisions] to drive a larger point about judges," one McCain insider tells me. "He views the kind of judges he would appoint as asked and answered."

Not completely—at least not yet. The Supreme Court decisions were an opportunity lost, one in which McCain could have made some much-needed headway with the base. There will be other occasions to bring up the subject between now and November—but there won't be any more Supreme Court rulings. McCain missed a chance.

So some conservatives remain wary. McCain's job in the next few months will be to convince them that he has new conviction on an issue he has long neglected. Whether he succeeds will have a serious impact on his fortunes in November. **NR**

■ **IMMIGRATION**

Enforcement At Work

The strategy of attrition is bearing fruit

MARK KRIKORIAN

Is immigration enforcement effective? Ask the *New York Times*: "Children someday will study the Great Immigration Panic of the early 2000s, which harmed countless lives, wasted billions of dollars and mocked the nation's most deeply held values." An enforcement program that can move the *Times* to such a display of righteous indignation *must* be doing something right.

But you don't need to read between the lines to see what's happening on the immigration front. Proof that our belated efforts against illegal immigration are bearing fruit is piling up by the day. Combined federal, state, and local initiatives are demonstrating that the strategy of attrition through enforcement—reducing the illegal population over time, largely through self-deportation rather than mass roundups—actually works.

The headlines tell the story, even if they reliably omit the word "illegal": "Arizona Seeing Signs of Flight by Immigrants," "More Mexicans Leaving U.S. Under Duress," "Hispanics Moving Out of Oklahoma before New Law Takes Effect," and so on. While the attrition strategy isn't as coordinated as it could be, all levels of government are generally rowing in the same direction. At the federal level, the most notable efforts are directed at denying illegal aliens access to employment, both through stepped-up worksite enforcement and through expansion of the voluntary E-Verify system, which enables an employer to check online whether a new hire is eligible to work in the United States. More than 10 percent of all new hires in the nation are already being verified in this way, a percentage that is sure to rise once new rules go into effect requiring that all federal contractors use E-Verify.

They're getting the message in the boardrooms, too. Anderson Windows, for instance, recently performed a personnel audit of employees of a newly acquired firm, resulting in the dismissal of more than 200 illegal aliens. As the *Newark Star-Ledger* put it, such firings "are part of a growing trend in which employers are purging unauthorized workers to avoid a fledgling immigration crackdown by the U.S. government."

The approach at the state and local level has become more sophisticated since the 1990s. Then, the major immigration states sued Washington to be reimbursed for the cost of services provided to immigrants, and state efforts were generally directed at limiting access to such taxpayer-funded services. But that didn't work for the simple reason that immigrants—legal or illegal—don't come here just to get welfare. The high rate of welfare use by immigrants (half of all families headed by a Mexican immigrant use at least one major welfare program) is inevitable because, no matter how hard they work, people with very little education or few skills simply cannot earn enough to support their families in the way that our society expects without subsidies from the taxpayer. The federal and state attempts to limit access to welfare, however compelling politically or even morally, failed in the face of the fact that America is not going to let people die on the doorstep of the emergency room simply because they're illegal. What's more, much of the welfare money is spent on the American-born children of illegals, who are U.S. citizens and therefore cannot be denied access to government services.

The most important development we're seeing now at the level of state and local governments is their augmentation of the federal effort to deny jobs to illegals. As of the start of this year, Arizona began requiring all the state's employers to use E-Verify and will revoke the business licenses of firms that persist in knowingly hiring illegal aliens. Other states are also requiring E-Verify for at least some hires, with even the governor

Mr. Krikorian is executive director of the Center for Immigration Studies and author of *The New Case against Immigration, Both Legal and Illegal.*

of Rhode Island issuing an executive order mandating E-Verify for all state agencies and vendors.

Another popular effort is what's known in the jargon as a 287(g) program, which gives state or local law-enforcement officers extensive training in immigration law and effectively deputizes them as immigration agents. Nearly 50 jurisdictions are participating, with twice that many on the waiting list. The bottleneck is not training the officers, but budgeting for detention space—additional 287(g) programs would turn up more illegals for immigration authorities to take custody of and put somewhere until they're sent home. The effect of such programs is magnified by the fact that, as one writer who's looking into the issue told me, the Spanish-language media hype 287(g) programs and other enforcement initiatives as though they were the Apocalypse, causing illegals to think things are even worse for them than they are.

School-enrollment statistics provide the first evidence of what blogger Mickey Kaus calls the *Gran Salida* (Great Exit). Los Angeles, for instance, has seen a 7 percent drop in school enrollment since 2003. Prince William County, Va., which enacted the toughest measures in the Washington, D.C., region, saw a 5 percent drop in English-as-a-second-language enrollment just in the past year. Some illegal aliens and their families are no doubt traveling to other cities or states that are more hospitable to them, with reports of migration from Arizona to Texas, and from Virginia to Maryland. But even this is progress because attrition, in the words of one far-Left critic, is "a strategy aimed at wearing down the will of immigrants to live and work in the United States," and persuading illegals to move to another state can be the first step toward such wearing down.

When the economy goes sour, illegals go home? There's more to it than that.

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But they're not all going to other states. A forthcoming report by my colleague Steven Camarota at the Center for Immigration Studies has found a measurable drop in the total illegal population since last year, with most of them leaving on their own rather than being deported.

The open-borders crowd acknowledges that illegals are leaving, but claims that this development merely buttresses their assertion that immigration is mainly a market-driven phenomenon—when the economy goes sour, illegals go home. Nice try, but there's more to it than that. First, the illegals themselves say otherwise; in the words of one illegal leaving in anticipation of Arizona's tough law, "I don't want to live here because of the new law and the oppressive environment."

An April survey of immigrants from Latin America (half of them illegal) conducted by the Inter-American Development Bank found the same result—28 percent of respondents said they were considering returning home and 81 percent said it was harder to find a job. The role of enforcement came out when respondents were asked whether they considered "discrimination against immigrants" a major problem, and two-thirds said yes. Since that was almost double the proportion who answered yes in a survey in 2001, it's clear that the "discrimination" they're referring to is the enhanced enforcement of the immigration laws, a point reinforced by the fact that illegals were much more likely to point to this "discrimination" than naturalized citizens.

The population data also point in the same direction. While unemployment among illegals has indeed gone up, no doubt contributing to their decisions to leave, the above-mentioned Camarota study finds that the drop in the illegal population has been accompanied by a continuing increase in the *legal* immigrant population. What's more, the decline in the illegal population seems to have begun with the collapse of the McCain-Kennedy amnesty bill in the Senate, before there was a significant rise in the unemployment rate for illegals. As one Brazilian said of his illegal countrymen in Massachusetts, "When the immigration bill didn't go through, people were very disappointed and started buying tickets [to return home]."

There's plenty more to do—we need better marketing for enforcement programs and more funding for state and local police actions, as well as full implementation of the check-in/check-out system at the borders (called US-VISIT) to limit visa overstays, which account for as much as half the illegal population.

But as important as such measures are to accelerating the *Gran Salida*, the first priority has to be to prevent the current enforcement push from being discontinued by the next president. The success of attrition is an inconvenient truth, as it were, for the amnesty crowd. But since the top immigration priority for both McCain and Obama is legalization of the illegal population (McCain told Hispanic officials that "it would be my top priority yesterday, today, and tomorrow"), anything that gets in the way of that goal is a threat.

In the past, spasms of enforcement quickly tapped out, teaching law-breaking businesses and illegal immigrants that they had only to keep their heads down for a time and the storm would pass. Regardless of the election result in November, changing that expectation is essential to regaining control over our immigration system. **NR**

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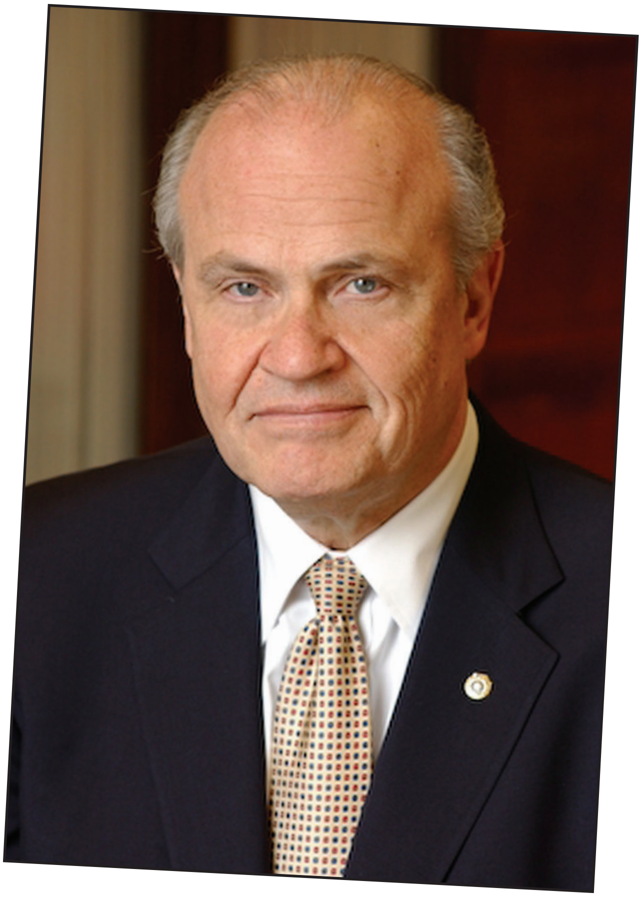

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■ PUBLIC POLICY

Hell on a Tarmac

It's time to address airport congestion

ROBERT VERBRUGGEN

EVERY frequent flier has his airline horror stories. Delays, missed connections, family members stranded on holidays, lost vacation time. Virtually all observers—from these frustrated passengers to policy wonks—agree that the industry needs to deal with airport congestion, over both the short and the long term.

But unfortunately, when it comes to what to do and how to do it, there are a lot of conflicting and powerful interests in play—the air-traffic controllers' union, the airlines, leisure- and corporate-aviation advocates, the Federal Aviation Administration. As a result, the federal government keeps kicking the can. Recently, Congress failed to reauthorize and update the FAA, instead extending its old budget for a few more months. It has done this several times in the last year.

Looking past special interests, however, it's clear what needs to be done. In the short term, the FAA and airports need to charge users in a way that discourages congestion. In the long term, the FAA needs to update its technology through a project known as NextGen; to do this quickly, safely, and fairly, a total overhaul of the agency is in order.

As it stands, the FAA does a decent job of supporting itself. In 2006, for example, only 18 percent of its budget came from general taxpayers; the rest comprised excise taxes collected from aviation users in various ways. This makes sense, as the FAA's service is for specific individuals and businesses, not the general public. But the FAA collects these taxes in a nonsensical fashion, and changes could ease congestion while funding NextGen—which is expected to cost airlines and the FAA, in total, something like $47 billion.

On a given route, pretty much every plane needs the same things, including direction from controllers and a runway to land on. But currently, flights are taxed at very different levels—for example, airline passengers pick up a huge part of the tab through ticket taxes, so a corporate jet can fly the same route as a commercial airline yet pay far less. According to a cost-allocation study by the FAA, corporate and leisure aviation drives 16 percent of air-traffic-control costs, but contributes only 3 percent of the taxes.

Airline lobbyists, perfectly reasonably, support closing this gap. One way to achieve this would be to replace the current system with user fees, where each plane pays for the services it uses. User-fee advocates include the FAA itself, which included them in its proposed modernization plan.

User fees provide more than fairness: They reduce congestion, and not just by making corporate jetting more expensive. Under the current system, airlines pay mainly by the passenger (the aforementioned ticket taxes and a per-passenger "segment tax"), not the plane. Therefore, when an airline decides to fly more small planes instead of fewer big ones, the fees don't reflect this. And as a result, there has been a remarkable increase in the use of small-capacity "regional jets" in recent years. Since regional jets cause the same congestion and use the same air-traffic-control services as bigger planes, this strains the system. User fees would discourage the use of regional jets.

"The average member of Congress doesn't appreciate that user fees can reduce congestion," says Dorothy Robyn, a principal of the Brattle Group, an economics- and financial-consulting firm. Robyn advised the Clinton administration on aviation issues, and recently wrote a paper on them for the Council of Economic Advisers. "The FAA never explained it, and the airlines haven't explained it. In all of [former FAA administrator Marion C. Blakey's] appearances arguing for user fees, she never drew the link."

User-fee advocates are typically willing to carve out an exception for recreational aircraft. "They don't fly in the same airspace as commercial and business jets," Robyn says. Robert Poole of the Reason Foundation, a libertarian think tank, supports a similar exception.

Despite their many advantages, user fees have received little political support. Even with an exception for recreational aircraft, the Aircraft Owners and Pilots Association opposes them, according to a statement, because "the imposition of user fees on any segment of aviation would inevitably lead to user fees for all." (Poole offers a more skeptical interpretation: The corporate-jet faction of the association, in an effort to avoid paying its fair share, is ginning up the recreational-flying faction, which has "wealthy members in just about every congressional district.") When the House passed an FAA-reauthorization bill—it was the lack of a Senate bill that held it up through September—there were no user fees.

The airports can do more to ease congestion as well. Aviators currently pay landing fees, but like ticket taxes they fail to address the problem: The fees are based on planes' weights. This isn't even a good way to assess wear and tear on the runway, because heavier planes can sometimes do less damage than lighter ones, depending on how the weight is distributed when they land. But more important, there is no extra charge for scheduling a flight to a busy airport at a peak time. An aviator can hold up traffic without bearing the cost of doing so.

There are a variety of pricing schemes that would ease congestion—auctioning takeoff and landing slots, charging more during peak times—but not a single airport in America uses them. The Air Transport Association, a lobby representing the major airlines, says it will sue if any airport does. Though the Department of Transportation claims airports may charge for congestion, the ATA disputes the DOT's authority to make such a determination.

The ATA worries that congestion pricing would make flying more expensive. It has even claimed that congestion pricing amounts to "artificially constraining demand." But when flying imposes delay and congestion costs on others, those costs *should* be reflected in higher prices. Also, there is a limited supply of runways available during busy times, so there's nothing "artificial" about letting the price mechanism sort out the mess.

As for the long-term project, NextGen,

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the FAA predicts about two decades of transition. NextGen's main accomplishment will be to overhaul air-traffic control—currently, controllers use an antiquated radar system to guide planes through the sky, but NextGen will install far-more-precise satellite GPS. Each pilot will know exactly where he is, and where other planes are, so aircraft can fly closer together with less help from controllers. Flights are expected to double over the next 20 years, and NextGen is expected to double to triple capacity over the same period.

But even though the end goal is clear, and there are good ideas for funding the initiative, implementation is a mess. For example, the FAA released a proposal last year that would have required most aircraft, by 2020, to be able to transmit (but not receive) their GPS coordinates. Air-traffic controllers are already on course to receive and use these coordinates by 2013, making life easier and cheaper for the FAA, but airspace users will see few benefits. It's not until pilots can receive other planes' coordinates in the air that they can access information about the situation around them, and the 2020 proposal had little to say about that. It did what almost nothing else could, and unified the various segments of the air-travel industry—in opposition.

"Let's say to buy a car, you have to pay $340 for GPS, but it won't work for a year. You'd say, 'Why would I buy the GPS now?'" says David A. Castelveter, vice president of communications for the ATA. "We're strong believers in the transition. The question is how we go about doing it."

Most observers suggest a gradual implementation that has immediate benefits to users, focusing on areas where GPS is most advantageous. "There are places where it can be used right now, where we don't have radar," says Patrick Forrey, president of the air-traffic controllers' union. "The mountains, the Gulf of Mexico, even the oceans of the world."

The price we pay

BILL PUGLIANO/GETTY

It's debatable whether the FAA, in its current form, is even capable of handling such a transition. The FAA both provides and regulates air-traffic-control services (an arguable conflict of interest), and relies on Congress for money. "What we need is an arm's-length regulator that's distinct from the air-traffic-control services. Almost every country in Europe, and Canada, Australia, and New Zealand, has done this," the Reason Foundation's Poole says. Poole also emphasizes freedom from the federal budget—the ability to charge users, and to issue bonds to fund modernization. A spun-off air-traffic-control provider need not be private, just a distinct government entity.

"We also need, as happens in Canada, these decisions to be thrashed out by a board that can control the investment plan and schedule. The board would include everyone—private pilots, business aviation, airlines—under some kind of adult supervision," Poole says. "If the small guys [i.e., recreational pilots] won't go along, you find a way to pay them off, and everyone's best interest is served if you have this all in place by 2012. You provide some kind of subsidy to help them get the equipment by a much quicker deadline. Those kinds of deals don't seem to be possible in the current system."

To make this a reality, though, lawmakers would have to overcome stiff opposition from the air-traffic controllers' union—which opposes privatization and sees a spin-off, says Forrey, as "one and the same thing." Forrey cites concerns about safety; he says the FAA will do a better job regulating itself than overseeing a spun-off agency. But there are other reasons the union would oppose an air-traffic-control spin-off, and modernization more broadly, Poole says: "They have a history of dragging their feet on anything that would increase productivity. They want a bigger workforce in preference to a smaller one." There's no reason for existing controllers to lose their jobs, Poole adds, but the new system will make it possible to hire fewer new ones.

For airline customers, congestion is becoming more than a nuisance—it's a severe and rapidly growing roadblock to travel. To relieve the traffic jams at the airports, the government will need to set aside interest-group concerns in favor of market-based solutions. **NR**

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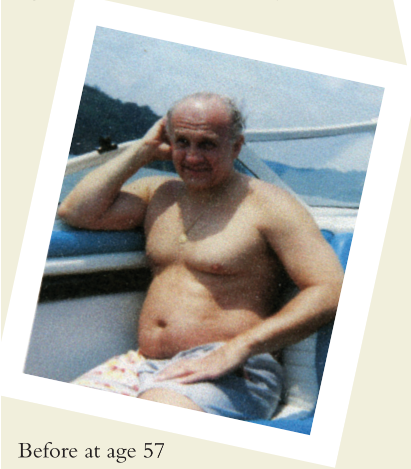
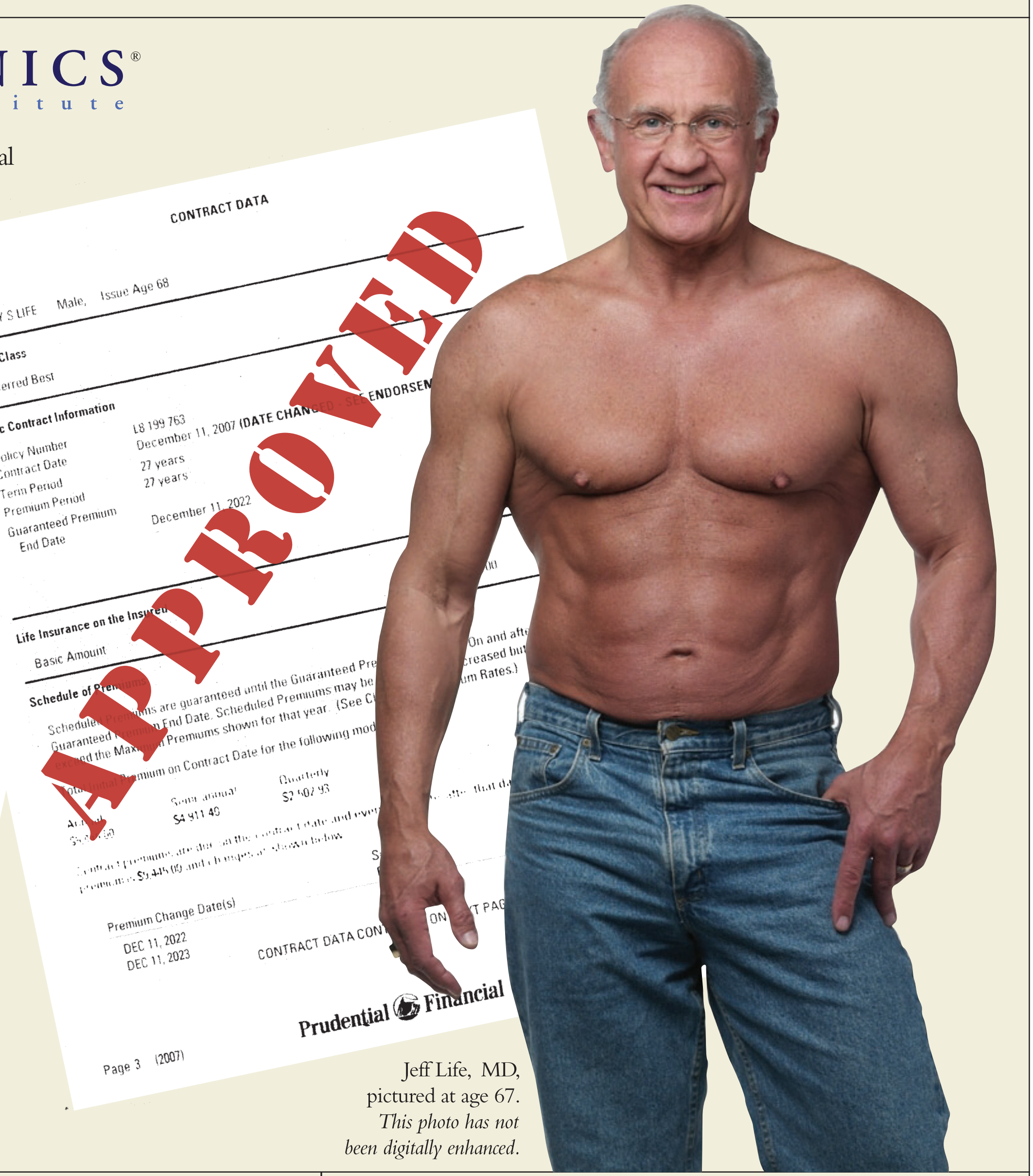


Before at age 57



CONTRACT DATA

Insured
JEFFRY S LIFE Male, Issue Age 68

Rating Class
Preferred Best

Basic Contract Information
Policy Number L8 199 763
Contract Date December 11, 2007 (DATE CHAN ED - SE ENDORSEM
Term Period 27 years
Premium Period 27 years
Guaranteed Premium End Date December 11, 2022

Life Insurance on the Insured
Basic Amount

Schedule of Premiums
Scheduled Premiums are guaranteed until the Guaranteed Pre
Guaranteed Premium End Date. Scheduled Premiums may be
exceed the Maximum Premiums shown for that year. (See C

Total Initial Premium on Contract Date for the following mod

Semi-annual $4 911 40
Quarterly $2 502 93

Premium Change Date(s)
DEC 11, 2022
DEC 11, 2023

CONTRACT DATA CON

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Page 3 (2007)

Jeff Life, MD, pictured at age 67.
This photo has not been digitally enhanced.

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■ CULTURE WATCH

Tyranny by Camera

Some thoughts on a pestiferous swarm

ROB LONG

A FEW years ago, I lived at the beach in Santa Monica. It was a two-storey, rectangular beach house, and in the afternoons I would sit on my balcony, smoke a cigar, sip a bourbon, and watch the sun set over the Pacific.

One day, though, I was disturbed by a lot of alarming noise—ambulance-siren noise, small-gathering-crowd noise, squawking-police-radio noise—from the next street over. And then, fluttering above, there appeared several news helicopters. I leaned over the balcony to get a better look—far enough to crane my neck, not far enough to spill my drink—and I suddenly noticed, right below my balcony, a news van pulling up in front of my house, directly in front of my driveway (conveniently marked by a "Do *NOT* Park Here" sign), and several purposeful people getting out and starting to unload video equipment.

"You can't park there," I called down. A well-dressed lady—the reporter, I figured—looked up from her small mirror.

"We're media," she said, as if that settled that, and went back to her powdering and primping.

"Yeah, but you're blocking my driveway. You can't park there."

She looked up at me, squinted, took a small, barely perceptible glance at my drink—*Ah*, I could hear her thinking, *the local drunk*—and repeated, just in case I didn't get it the first time: "It's okay. We're *media*."

And the gang started bustling around again, slamming doors and hoisting equipment. She tossed her mirror into her bag.

"I don't care who you are. You can't park in front of my garage. I *will* have you towed."

"We're a news organization, sir. We're press. We can park where we want." (This from the short, high-strung young man with the clipboard and the major cell phone.)

"Let me be clear," I said, in my best cranky-local-drunk voice, "I will have you towed. You cannot block my garage. I need to be able to pull my car out of my driveway. There's a chance"—and here I dropped my voice just a bit, and held my drink aloft—"there's a chance I may need to step out for some ice."

This was more than the lady reporter could take. "You don't understand, sir!" she cried. "This is a breaking story. Margaux Hemingway has *died*!"

Which turned out to be true, but since it wasn't one of the three things (major earthquake, tsunami, large cash offer) that would cause me to loosen my "No parking in my driveway" policy, I held my ground. They sighed and huffed and puffed and shook their heads at the amazing violation of First Amendment rights that glowered down at them, drink in hand, from the balcony, but in the end they moved the van. And I sat and finished my cigar and crunched softly on the melt left in my glass and thought to myself, *Who the hell is Margaux Hemingway?*

Who, indeed? That's the problem with celebrity journalism, whether the celebrity is alive—as is the case with poor Matthew McConaughey, who was hounded last month by photographers in Malibu—or dead—as was the case with Margaux Hemingway—or in that weird grey zone between the two (Lindsay Lohan, Britney Spears)—the question remains the same, at least for some of us: Who are these people again? What have I seen them in? Am I missing something big, sitting here on my balcony with my cigar and my bourbon and my sunset?

I must be. The worldwide appetite for photographs of celebrities increases all the time. Websites like TMZ.com, television shows like *Access Hollywood*, tabloids and magazines stacked like cordwood by the register at the grocery store—they're all buying celebrity snaps, the more lurid and embarrassing the better. Not too long ago, celebrity magazines focused pretty narrowly on the positive. If a young actress had gained a few pounds, and made the mistake of appearing on a Malibu beach in a bathing suit, the photo would be discreetly cropped, just above the first pear-shaped bulge. Now the whole photo will appear, with arrows pointing to the most egregious locations on her body, all capped by a blazing headline: CAN YOU BELIEVE HOW FAT SHE'S BECOME??!!

It's a scary sight, watching a riot of paparazzi swarm around a famous face, cameras flashing. Until you've stood somewhere close to the bubble, what those in the celebrity-journalism business call the *envelope*, it's hard to get just how unnerving and spooky it is—the photographers shout at their target, say provocative things, do anything to get a reaction. And they routinely swarm in front of their subjects, physically blocking their path.

I know, I know: Cry me a river. But even the most talentless, irritating celebrity (Hi, Britney!) deserves to be able to dash out to the supermarket in relative peace, deserves to be able to bend over to pick up the morning paper without hearing a symphony of clicks and whirrs as the worldwide celebrity-press machine captures the image. And the true victims—people who, like me those years ago on my balcony with my cocktail, just happen to be in the wrong place at the wrong time—don't have a say in the matter.

I've never been in the envelope myself. But I've stood next to it, waiting for my car in front of a restaurant. And I've experienced the pandemonium of the awards-show red-carpet walk—well, I've experienced the pandemonium as the famous face in front of me walked past the photographers and reporters, and the famous face behind me walked past them; when I walked past, the beehive went quiet, like the eye of the hurricane.

So I sympathize with the residents of Malibu—especially the unfamous ones—who are fed up with the reckless swarm of paparazzi stalking their beaches, speeding along their two-lane roads, parking (no doubt) in front of their garages. When the gimlet-eyed, slow-talking actor Matthew McConaughey found himself hassled on the beach recently by a cluster of photographers, some sympathetic surfer dudes stepped in: They beat the stuffing out of one of the photographers and tossed his equipment into the ocean.

This kind of thing is happening more and more. Locals have started to fight back—paparazzi tires have been slashed, equipment destroyed, noses punched—so

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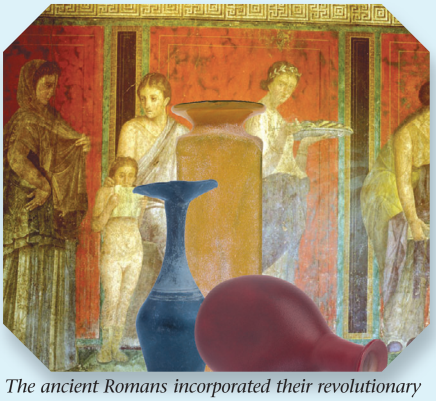

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it was just a matter of time before Malibu attempted to solve the problem in a more traditional Malibu style: Mayor Pamela Ulich is going to court. Or at least she's thinking about it. The mayor has asked some local lawyers—including (take a deep breath) Pepperdine law dean Kenneth Starr—to explore possible legal avenues to deal with the problem. Licensing photographers, creating buffer zones, designating press parking—these are some of the ideas being tossed around.

They're unlikely to do much good, of course. The market forces here—large appetite for celebrity photographs plus large concentration of celebrities doing silly things in bathing suits equals irresistible cash opportunity for photographers—will still be at work, no matter how successful Malibu's legal strategy turns out to be. And also: Pretty much every celebrity magazine is available and sold in all of Malibu's supermarkets, convenience stores, and newsstands. So the locals, despite hating to watch the sausage being made, like very much to eat it. And not just the regular folks, either: Nutty, mentally unraveling Britney would routinely battle hordes of Malibu paparazzi to make her way from her car to the local supermarket, where she would stock up on junk food and . . . that's right, tabloids.

I've long admired Ken Starr's way with the law, and I'm certain he realizes how tricky his job is going to be. The First Amendment is pretty clear, and as long as the market defines "news" as "Jake Gyllenhaal in bicycle shorts," it's going to be awfully hard to draft any ordinance that will stand up on appeal.

And, really, why bother? The problem seems insurmountable now, but as cameraphones become more and more ubiquitous, and as the Internet spawns thousands of "celebrities" a day, pretty soon we're all going to be divided into two camps: Those who photograph celebrities and those who are celebrities themselves. The paparazzi will be evenly distributed all over the place, not just clustered in a small beach town north of Los Angeles. In the not-too-distant future, if a news van were to pull up in front of my driveway to cover the death of a minor actress, I wouldn't just allow them to park, I'd try to sell them photographs of the corpse that I took moments before, with my mobile phone.

That's progress. Sort of. **NR**

■ CULTURE WATCH II

Right Song, Wrong Place

'Lift Ev'ry Voice and Sing' makes the news

JAY NORDLINGER

"LIFT EV'RY VOICE AND SING" is one of the best songs in the entire American treasury. It is part gospel song, part traditional hymn, and part anthem. It was written in 1900—and became known as the "Negro national hymn," or the "Negro national anthem." Today, of course, people refer to it as the "black national anthem," or possibly the "African-American national anthem." The last person to say "Negro" was Thurgood Marshall, who did it till the day he died, in 1993.

In any case, "Lift Ev'ry Voice and Sing" managed to make national news in early July. Here's what happened.

The mayor of Denver gives a "State of the City" speech. Apparently, they have a somewhat grand view of themselves in Denver. And they invited a local jazz singer and actress to sing the national anthem. Her name is Rene Marie.

Well, she pulled a switcheroonie on them—that is her own language: "I pulled a switcheroonie on them." Instead of singing the national anthem, she sang "Lift Ev'ry Voice and Sing." But not really: It was quite strange. She sang the words of "Lift Ev'ry Voice" to the tune of "The Star-Spangled Banner." She effected a melding of the two.

The audience must have been mighty confused. There they were, hands on hearts, listening to a familiar tune, but to unfamiliar words—unfamiliar, that is, to the white people present. Black people, most of them, probably figured out what was happening.

Mr. Nordlinger is an NR senior editor. *Here, There & Everywhere: Collected Writings of Jay Nordlinger* is available at Store.NationalReview.com. There are pieces about music and race, and at least one about the collision between the two.

After the event, a ruckus took place. The mayor, John Hickenlooper, was piqued that he had been deceived, not to mention upstaged. (Everyone talked about the singing, not the speech.) "We all respect artistic license and support freedom of expression," he said. But, at the State of the City event, "making a personal substitution for the national anthem was not an option." Quite so.

Rene Marie, for her part, was unbowed. "I am an artist," she said. And, as such, she has a need to express herself artistically—she will not ask anyone's permission to do so. Moreover, she does not "feel like an American." And, at some point, she decided not to sing the national anthem again.

The lady is black, I should note. And, from the lengthy remarks on her website, she is an interesting and thoughtful woman. Full of herself, but interesting and thoughtful. Obviously, she is torn by age-old questions of race and identity.

The Denver affair quickly became part of the presidential campaign, with the Democratic nominee, Barack Obama, forced to declare, "We have only one national anthem."

That other anthem, "Lift Ev'ry Voice and Sing," was written by two brothers: James Weldon Johnson and J. Rosamond Johnson. The former wrote the words, the latter the music. They did so, these 108 years ago, for a Lincoln birthday celebration, in their hometown of Jacksonville, Fla. Here are the words to the first verse:

Lift ev'ry voice and sing,
'Til earth and heaven ring,
Ring with the harmonies of Liberty;
Let our rejoicing rise
High as the list'ning skies,
Let it resound loud as the rolling sea.
Sing a song full of the faith that the dark
past has taught us,
Sing a song full of the hope that the present
has brought us;
Facing the rising sun of our new day
begun,
Let us march on 'til victory is won.

James Weldon Johnson was one of the most remarkable men in American history—and certainly one of the most versatile. He was a poet, a politician, a lawyer, an anthologist, a diplomat, an educator, a novelist, and, yes, more. He took part in the Harlem Renaissance and was himself a definition of "Renaissance man." He did more in his 67 years—1871 to 1938—than it seems possible to do.

Toward the end of his life, Johnson helped Ignatz Waghalter, a Jewish refugee, found the American Negro Orchestra. Johnson wanted black Americans to have the best of Western civilization, and to contribute to it. And there is no question that he regarded himself, and all blacks, as part and parcel of America. This fact is reflected in the titles of some of his books: *The Book of American Negro Poetry* (1922), *The Book of American Negro Spirituals* (1925), *Negro Americans, What Now?* (1934). Johnson was as American as anyone, and more than most.

His brother, J. Rosamond, was less dazzling than he, but impressive in his own right. In addition to composing, he sang: He appeared in the original *Porgy and Bess*. And he advanced spirituals by the arrangements he made of them. For example, Marian Anderson used to sing his arrangement of the spiritual about finding lost sheep.

Of all that the Johnson brothers did, it is one song, "Lift Ev'ry Voice and Sing," that has won them enduring fame. In 1935, James Weldon wrote, "The lines of this song repay me in elation, almost of exquisite anguish, whenever I hear them sung by Negro children." "Lift Ev'ry Voice" is sometimes jazzed up. It is best when it is stately, soulful, and majestic.

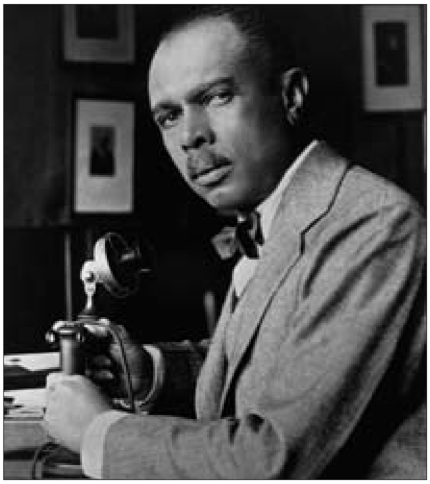
Leontyne Price, the soprano, made probably the finest recording of it. It is on her album of patriotic songs and hymns, *God Bless America*, recorded in 1982 (and still in print). "Lift Ev'ry Voice" follows "The Star-Spangled Banner"—an order you can be sure Miss Price intended. She is a fierce, One America patriot.

The second verse of the song goes,

Stony the road we trod,
Bitter the chast'ning rod,
Felt in the days when hope unborn had died;
Yet with a steady beat,
Have not our weary feet
Come to the place for which our fathers sighed?
We have come over a way that with tears has been watered,
We have come, treading our path through the blood of the slaughtered,
Out from the gloomy past,
'Til now we stand at last
Where the white gleam of our bright star is cast.

It is sometimes remarked that white Americans know little of Black America. And that is no doubt true. The country is in important ways segregated, although this might not be recognized by white Americans, because blacks are the minority and whites not. How often do white Americans listen to black talk radio? Black Americans know about the majority culture—that is unavoidable. But you can live your whole life without knowing about the minority culture.

White Americans have now been given a window into Black America, by a surprising means: the candidacy of Senator Obama. Why surprising? Because Obama's roots in Black America are fairly shallow, or so you might claim. His father was from Kenya, and his mother is white. But in this political year of 2008, white Americans are learning things, not all of them pleasant. Think of what the Rev. Jeremiah Wright, Obama's former pastor, taught the country.


James Weldon Johnson

CORBIS

Did it shock you to hear that the U.S. government invented AIDS for the purpose of decimating black people? This view is widely held among black Americans—not just by crazies and demagogues, but by respectable folk, too. Yet there is much that is golden to learn as well. And one might start with "Lift Ev'ry Voice and Sing."

Not to pat myself on my good liberal back, but I contributed a mite, years ago, when I was a teenager. I was a summer-camp counselor in Illinois. This was Camp Wa-ta-ga-mie, a.k.a. Camp Want My Mommy. Every day, we had a flag raising, accompanied by a patriotic song: the national anthem, "My Country, 'Tis of Thee," "You're a Grand Old Flag," etc.

When it was my turn to lead the ceremony, I introduced "Lift Ev'ry Voice." I didn't pull a switcheroonie—the choice of song was the counselor's (as I remember). And why did I make this choice? Well, social reasons aside—what a great song! It ought to be a staple in the general American repertory.

And this is where Rene Marie missed her chance. If she was going to usurp an event—which she did—she might have sung "Lift Ev'ry Voice" as written, music and words. One without the other is like Schiller without Beethoven (sort of).

Turn your thoughts to next January, for a moment. Presidential inaugurations always have music: the national anthem, of course, and other songs. Jessye Norman sang "Simple Gifts" at Reagan's second. If disaster occurs and Obama is elected, why not have "Lift Ev'ry Voice" at the inauguration? But the new president might be nervous about hints of separatism. It would be even better to have the song at a McCain inauguration.

As a rule, "Lift Ev'ry Voice" might be treated like a state flag: flying under the national flag, the greater above the lesser, the lesser under the greater. "The Star-Spangled Banner" is our national anthem. But "Lift Ev'ry Voice" is a precious part of our patrimony.

And the third and final verse is the best:

God of our weary years,
God of our silent tears,
Thou who has brought us thus far on the way;
Thou who has by Thy might
Led us into the light,
Keep us forever in the path, we pray.
Lest our feet stray from the places, our God, where we met Thee,
Lest, our hearts drunk with the wine of the world, we forget Thee;
Shadowed beneath Thy hand,
May we forever stand,
True to our God,
True to our native land.

"True to our native land"? J. W. Johnson meant America, of course—no other place. This song is full of patriotism, as well as beauty and truth. "Black national anthem" it may be called; but it is an American anthem, and, more than that, a song for all the world. The best tend to be like that. **NR**

■ **COVER STORY**

Lost Generation

Adoption in America has collapsed; here's what to do about it

KEVIN D. WILLIAMSON

ADOPTION is an unexpectedly rare phenomenon in the United States, and that's a supply-side problem. The U.S. is the third-most-populous country in the world, and each year more than a third of our country's 4 million births are to unmarried women, but it is estimated that in a typical year the total number of mothers who voluntarily relinquish their children for adoption is fewer than 14,000—barely enough to make a statistical radar blip on the demographic Doppler. Would-be parents trek to the Far East and mount expeditions to South America because there are so few infants available for adoption in the United States.

At the same time, a half million children languish in foster care, awaiting permanent adoptive homes. There are would-be parents who want to adopt them, too, but this situation is more complex: Older children are less eagerly sought after, and the longer a child is in foster care the less likely he is to find a permanent home. The lot of these foster children has been made worse by years of bad public policy discouraging transracial adoptions—a significant barrier, since most of the couples looking to adopt are white and the children in foster care are disproportionately non-white. Supply and demand are wildly out of sync: If we were talking about consumer goods instead of children, we'd call this a market failure. And some of the most incisive critics of U.S. adoption policy are calling for reforms that would make adoption policies look a lot more like a market—that is, a system characterized by free and open cooperation—and a lot less like a welfare bureaucracy.

As an American institution, adoption is in decline and has been for 35 years. The decline isn't in the number of families looking to adopt: That number has remained constant for decades, around 2 percent of all married couples. The decline has come rather in the number of American women who choose to give their children up for adoption. From 1952 to 1972, one in five white unwed mothers chose adoption, according to the National Survey of Family Growth. The rates of adoption were lower for black and Hispanic women, but even so nearly one in ten unwed mothers overall chose adoption over raising children without a husband. On January 22, 1973, the cultural earthquake that was *Roe* v. *Wade* changed all that. By 1981, the number of adoptions was down to 4 percent of all children born out of wedlock. The number for black children fell below 1 percent.

Roe v. *Wade* was of a piece with the culture of permissiveness and extended adolescence that had its roots in the post-war generation but truly bloomed in the 1970s. In these years the more radical iterations of feminism were ascendant, together with the budding homosexual-rights movement and similar expressions of the liberationist ethic of the day. Divorce rates soared as the promise of lifelong marriage, once the rock of American civil society, began its melancholy, long, withdrawing whimper. And what had been murder on Sunday night was a constitutional right by Monday morning.

Roe ushered in a culture that not only served to diminish the stigma once conjoined to premarital sex and consequent unwed motherhood, but also ensured that those babies who survived to

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Second, this period commands our attention because of some of the people who lived during it—the powerful rulers like Charlemagne and influential thinkers like St. Augustine, for example.

"Theologians and philosophers such as St. Augustine were going to exert a commanding influence on European thought for well over a millennium after their death," Dr. Daileader notes.

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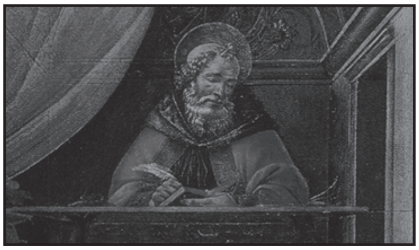

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St. Augustine

"Without some important transformations that occurred during this period, the rest would not have been possible. To understand fully the High Middle Ages or the Italian Renaissance, it is necessary to understand the Early Middle Ages," he says.

Dr. Philip Daileader is Associate Professor of History at The College of William and Mary. A graduate of The Johns Hopkins University, he received both his M.A. and Ph.D. from Harvard University, where he was a four-time winner of the Certificate of Distinction in Teaching.

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birth were born to women who were much less likely to choose adoption. The same markers that had once identified young unmarried mothers as more likely to choose adoption—being white, relatively affluent, and relatively educated, with higher educational and career aspirations—today mark women as being likely to choose abortion. The maternity home went the way of the shotgun wedding, vanishing from the cultural landscape along with its euphemistic cousin, the months a pregnant girl spent "visiting family" prior to a quietly arranged adoption. Affluent white women tend to have fewer unwanted pregnancies across the board and, being more thoroughly secular, have been quick to avail themselves of abortion's convenience. As a consequence, the sort of child most likely to have ended up with an adoptive family a generation ago is the sort most likely to have been eliminated in one of the 50 million abortions that have occurred in the United States since 1973.

It may be that the widespread practice of infant adoption was doomed to be a short-term phenomenon. Like so much of modern American community life, adoption was profoundly influenced by the career of Theodore Roosevelt and the reformist movements to which he lent his vitality. Prior to the 20th century, adoption of nonrelatives had been rare; orphans and children whose parents could not or would not care for them were relegated to orphanages. The Dickensian conditions at these orphanages—to say nothing of their insalubrious indoorsiness—inevitably attracted the improving passion of President Roosevelt. In 1909 he convened the first White House Conference on the Care of Dependent Children and established as a matter of national policy that, where possible, homeless children should be placed in permanent adoptive homes. A new maxim was handed down from the bully pulpit: "Home life is the highest and finest product of civilization," Roosevelt said. "Children should not be deprived of it except for urgent and compelling reasons." The idea was radical at the time and was resisted by the institutional interests attached to orphanages. But the movement was hugely successful: Within a few decades the tribes of homeless children that had once been common sights in American cities had vanished, while the Child Welfare League of America had helped to establish standards and practices for adoption and foster parenting.

Since its early days, modern adoption has been a lightning rod for class and race anxieties. But while race, sex, and disabilities remain important considerations for many adoptive parents, Americans have grown steadily more eager to adopt children of different races. And adoptive families have been ahead of the curve: During adoption's post-war heyday, adoptive families sprinted over the color line that would not be transgressed in other areas of American life for decades. A 1961 *Time* magazine article profiled Yonkers fireman Joe Treacy and his wife, who over the course of 20 years provided foster care to more than 300 children of varying races and nationalities. When questioned by a neighbor about the provenance of two black babies he was seen parading down the sidewalk in a stroller, the fireman answered: "They're my wife's by a previous marriage." It may be a simple matter of evolutionary biology, but it's hard to be bigoted toward babies. Hard, but not impossible: As Jonah Goldberg has pointed out in these pages and elsewhere, the eugenicists at Planned Parenthood and allied organizations didn't want the children of the destitute, the black, or the sickly to be raised by adoptive families—they wanted them *eliminated*. After 1973 they would see their wish substantially fulfilled.

The unborn children of the post-*Roe* era are the true Lost Generation. With abortion having taken some 50 million American children out of the adoption equation, it's no surprise that would-be adoptive parents have been sent packing across the Himalayas and Andes. But what of the 500,000 or so children relegated to foster care at any given time? Unhappily, politics has conspired against them, too.

> With abortion having taken some 50 million American children out of the adoption equation, it's no surprise that would-be adoptive parents have been sent packing across the Himalayas and Andes.

ADOPTION IN BLACK AND WHITE

The phrase "out of wedlock" has a chalky, anachronistic taste, but in this context it is a necessary distinction. Married women practically never voluntarily relinquish their children for adoption. Not all adoptions are conceived in voluntary circumstances, however. Each year thousands of negligent or abusive parents, singles and married couples alike, have their parental rights terminated by the courts and their children relegated to institutional care or foster families. While some of these children are older teens who will spend only a year or two in foster homes before reaching adulthood and legal emancipation, many are young—the median age is 8.4 years—and adoption is, in most cases, the aspiration of the children's legal custodians.

For children in foster care, the calculus of adoption is complex. The older a child gets, the less likely he is to find a permanent adoptive family. Research suggests that white parents have their rights terminated earlier and more often than do black and Hispanic parents; this may give the impression that whites are being treated more harshly, but it is black and Hispanic children who are injured by this disparity. They are put on the road to adoption at a later age, placing them at a permanent disadvantage. They spend more time in foster care and are more likely to suffer from behavioral problems. All of these factors make it less likely that they will find permanent, stable homes.

Most of the parents waiting to adopt are white; most of the children awaiting adoption are not. Parents' attitudes toward transracial adoption have become much more liberal since the 1970s, but the racial attitudes of social workers, those sometimes pitiless gatekeepers on the adoption pilgrimage, have hardened. A study published by the academic journal *Child Welfare* found that 43 percent of the caseworkers responsible for the longest-waiting black children in New York State expressed hostility toward transracial adoption. Federal law prohibits the use of racial criteria in adoption placement, but ethnic considerations have seeped into the system: The number of transracial adoptions executed each year remains tiny despite the willingness of the majority of couples to adopt a child of a different race. About 8 percent of all adoptions are transracial or cross-cultural—and that number includes international adoptions, commonly from Asia and South America. Prof. Judy Fenster of Adelphi University finds that black social workers are particularly inimical to the prospect of cross-racial adoption. It seems that the matchmakers at the heart of the adoption system are part of the problem.

Transracial adoption is a volcanically touchy issue—the National Association of Black Social Workers has deployed weapons-grade rhetoric characterizing the practice as "cultural genocide." That ideology has had predictable consequences: Black children spend more time in foster care than others, and in general have less luck in finding permanent adoptive homes. The Multi-Ethnic Placement Act of 1994, a legacy of the late senator Howard Metzenbaum, forbade the use of race as the decisive factor in making adoption-placement decisions, but the language of the statute left those politically opposed to transracial adoptions with room for much mischievous maneuvering. Would-be adoptive parents were disqualified for expressing political opinions at odds with social workers' preferences. Just as the social workers of Teddy Roosevelt's day defended the orphanages against the president's radical drive for adoptions, their professional descendants have defended racial practices that allow them to impose their own political preferences as policy.

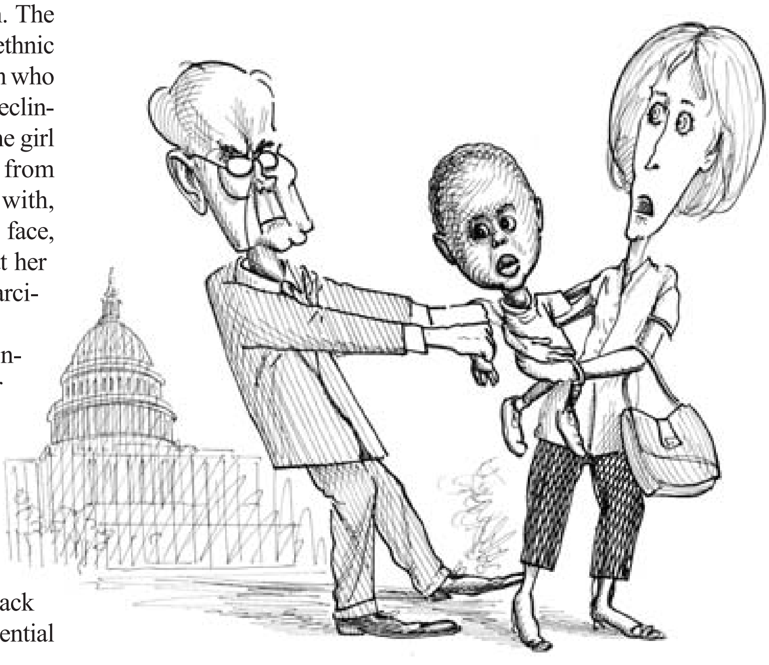
In one case, a white couple who had hoped to adopt a severely disabled black girl in 1994 were disqualified on political grounds—specifically that they expressed a desire to raise their children to be "colorblind"—and on racial grounds, specifically that they lived in Alaska, which was judged to be superabundantly Caucasian. The couple had raised other severely disabled children of various ethnic backgrounds but they were rejected in favor of a single woman who expressed the "correct" racial attitudes—and who ended up declining to adopt the child, precisely because of her disabilities. The girl in question suffered from Fetal Alcohol Syndrome and from Russel-Silver Syndrome, a form of dwarfism associated with, among other things, gastrointestinal difficulties, a triangular face, and asymmetrical body growth. It is difficult to imagine that her most pressing challenge in life was going to be the relative scarcity of black neighbors in Fairbanks.

Similar cases were common, if less dramatic. Implementation of MEPA had failed so comprehensively that Senator Metzenbaum came out of retirement to lobby for changes to the act. The 1996 amendments, sometimes called MEPA II, made the law more explicit, leaving those agencies that covertly use racial considerations to delay or prevent transracial adoptions vulnerable to fines and lawsuits.

MEPA II did not sit well with those who maintain an ideological animosity to the idea of white parents' raising black children. The Evan B. Donaldson Adoption Institute, an influential player in this debate, issued a report minimizing the progress in black adoptions and arguing for the repeal of the 1996 amendments so as to once again allow the use of racial considerations in adoption placements. The report is fascinatingly shoddy. For example, it transmits heartbreaking anecdotes about a dark-skinned adoptive child in a white household who listed "white skin" as his top Christmas wish—but that Christmas request was addressed to *Sinterklaas*, because the child was a Sri Lankan adoptee being raised in the Netherlands. What, precisely, the experience of Asian-Dutch adoptees is thought to tell us about black American adoptees is unclear, but that hasn't stopped the Donaldson report from being cited, widely and uncritically, as evidence against MEPA II and the current practices governing transracial adoption. Rosemary McDonough, mother of two adopted children and former chairman of the National Council for Adoption's board, is skeptical of the Donaldson report's claims: "If it's a problem for my son that his Latin looks don't match his Irish name—may that be the biggest problem he has in life."

A. L. Burrow of Loyola University in Chicago reports more complex findings that do not seem to indicate that race is a reliable predictor of the happiness or success of adopted children: Asian children adopted into white families had the highest grades—but also had the highest incidence of certain psychological troubles. Black children adopted into black families had the highest levels of self-esteem—and the highest levels of depression. Of all the factors at play, the peculiar challenges of transracial adoption do not appear to be definitive, but MEPA II imposes unwelcome restrictions and oversight on child-welfare workers accustomed to following their own political eccentricities, and thereby attracts a dedicated opposition.

Prof. Elizabeth Bartholet of Harvard Law School argues that the law should be maintained in its current form, which allows for counseling and preparation for the challenges of raising a child of a different race but prohibits the use of race as a ruling criterion. When she testified before Congress earlier this year, her assessment was astringent: "The fact is that transracial adoptions have increased post-MEPA, although not yet as much as we might



ROMAN GENN

hope. But it takes time for laws to have an impact, and it is only recently that the federal government began serious implementation efforts, issuing its first enforcement decision in 2003, with that decision not upheld on administrative appeal until 2006. In any event, there is certainly no reason to think that recreating a barrier to transracial adoption, as the Donaldson report calls for, will do anything other than make it harder to find homes for waiting children." Professor Bartholet, who describes herself as "left-progressive," attributed the Donaldson position to a vein of "racial separatism" that runs through the social-services bureaucracies.

Congress is still considering whether to allow MEPA II to stand or to regress to the previous form of MEPA, which would allow for the implementation of broader racial prerequisites, but adoption bills aren't exactly on the congressional fast track under the current leadership.

A MARKET FOR ADOPTION?

The fight over transracial placements is only one small intersection in the nexus between politics and adoption. There are a number of policy initiatives in the works to support adoption, from increasing the financial incentives to adopt children out of foster care to protecting the First Amendment rights of faith-based adoption agencies. One important piece of legislation is Rep. Phil English's "Religious Freedom for Providers of Adoption, Foster Care, and Child Welfare Services Act," which would prohibit punishing adoption agencies for declining to work with homosexual couples. Catholic Charities in Massachusetts suspended their adoption activities when the state attempted to force them to abandon their moral objections to facilitating adoption by homosexual couples, leaving the Bay State's children bereft of an important ally in their search for families.

The abortion lobby—the real conscience of the Democratic party—views pro-adoption forces as a wing of the pro-life movement, rivals in a zero-sum game between the abortion ethic and the life ethic.

Representative English, a Pennsylvania Republican, says matter-of-factly that his legislation is going nowhere: "This is the kind of legislation that this Congress is afraid to bring up for fear of offending the gay lobby," he says. And even if Pelosi and Reid weren't sitting like hens on a do-nothing Congress while hoping to hatch a more potent majority in November, the abortion lobby—the real conscience of the Democratic party—views pro-adoption forces as a wing of the pro-life movement, rivals in a zero-sum game between the abortion ethic and the life ethic. Adoptions are as common in blue states as in red states, but adoption does not electrify Democratic leaders with the voltage of abortion or gay marriage.

Against this background, it is unsurprising that adoption supporters are not strongly focused on Washington. The National Council for Adoption has a legislative agenda, to be sure, but their most recent campaign isn't aimed at Capitol Hill; it's aimed at young mothers and fathers. Called "I Choose Adoption," it is intended to communicate that mothers who give their children to adoptive families aren't doing so because they're *bad* mothers, but because they are *good* mothers.

"We're trying to enlighten people's understanding of and appreciation for birth mothers," says NCFA president Thomas Atwood. "Adoption is a positive option, and we view birth mothers as loving, responsible parents who made a decision in the best interest of the child. The definition of a good parent is someone who does what's best for her child. She can feel right about what's she's done, see herself as a good mother. Because she is."

Politicians love to dress their pet causes in swaddling clothes and declare that we have to do thus and such "for the children." But here's an issue that is literally about the children—defenseless, vulnerable children without families—and politics is hurting them. So while the NCFA is to be commended for its efforts to reach out to unwed mothers, it may be that helping unwed mothers feel good about adoption isn't enough. Why not get the politicians out of the way and stack some money on the table? To the extent that politics is the problem, the best reform may be to get politics out of adoption entirely.

It is necessary to be cautious when talking about market-based reforms of adoption practices. To American ears, that sounds like establishing a marketplace for babies, which justly sets off klaxons of moral alarm. Under any decent system of adoption, children are people, not commodities, and people have rights that it is the duty of society to protect. It's not a question of buying and selling babies, but of freely contracting to exchange parental rights—which is, after all, what adoption is: an exchange of parental rights. And there is significant money involved in the process. What market-oriented adoption reforms are intended to accomplish is to align the incentives of unprepared parents with those of adoptive families in order to provide the best outcomes for children.

Richard Posner, a giant in the law-and-economics movement long before he became a judge on the U.S. Seventh Circuit Court of Appeals, has argued for the deregulation of the adoption system and its replacement by a market-based alternative since the publication of his paper "The Regulation of the Market in Adoptions" back in 1987. "The adoption market exhibits all of the pathologies of price regulation," Posner says. "First, there's a huge supply-demand imbalance. We have 1.5 million abortions a year but a shortage of babies available for adoption, and that suggests something is wrong. Second, there's a black market and a grey market in adoption, where doctors and lawyers act as middlemen and collect fees." The fees related to adoption can be dodgy; it's illegal to pay a fee to secure a child, but there are all sorts of other fees that act as proxies for those verboten payments. The numbers coming out of grey-market adoption cases suggest would-be mothers could expect compensation of $30,000–$60,000 plus prenatal expenses—not an insignificant incentive.

Posner's efforts to account for the economic realities of adoption have been taken up and amplified by others, notable among them the economist Donald Boudreaux, who points out that there already is a market for adoption. "Parental rights are bought and sold," Boudreaux said, "but they're sold in a hidden way. If you look at the fees that adoption agencies charge, there's no itemized schedule that puts a price on parental rights. The people who do, de facto, profit from selling parental rights are the adoption agencies or adoption lawyers—the middlemen—precisely because of the artificial scarcity of the thing that they sell." Lots of money is changing hands, but little or none of it goes to the mothers who are, along with their babies, the most vulnerable parties in these transactions.

Boudreaux defended the market-based approach with great clarity in the libertarian *Cato Journal*: "When a birth mother gives a child up for adoption, she legally transfers her parental rights to the adoptive parents; the adoptive parents gain all those rights, but *only* those rights, that the birth mother possessed before the adoption. Such rights are those that all non-derelict parents have in their children. The rights do not include license to abuse the child or to use him or her as a slave. . . . Branding the sale of parental rights 'baby selling' provokes people reflexively but wrongly to assume that some horror akin to slavery is being advocated." In a recent conversation with NATIONAL REVIEW, Boudreaux characterized the objections to the free exchange of parental rights in an open market as a question of taste: "The objections are for the most part aesthetic. It strikes people as unseemly. But they don't stop and think through the ramifications." Boudreaux argues that adoptive families would still have to be screened and the adoption approved, possibly by a judge.

Allowing adoptive parents to contract directly with mothers would, Boudreaux argues, create incentives that favor healthy babies who are well cared for and who end up in loving homes. "We allow parents who desperately want children to have them, and the mother profits from transferring her rights," Boudreaux says. "Regardless of how you feel about the morality of abortion—and I'm pro-abortion—it's hard to argue that the child is worse off. I don't see who loses out on that deal. And women have better incentives to take care of themselves prenatally—parents who contract for adoptions are not going to go into it willy-nilly, and there will be mechanisms to monitor the health of the child, so women will have an incentive not to drink or use drugs while pregnant."

Given a choice between a calcified adoption bureaucracy—one in thrall to racial ideologies and marred by the inevitable dysfunction of politics—or an imperfect but free system that helps to align economic incentives with the best interests of vulnerable women and children, the Posner-Boudreaux prescription is compelling. Economic incentives are part of every aspect of human life, and especially of family life. Many older professional couples find themselves looking to adopt because they have delayed marriage and childbirth for economic reasons. Economic calculation is probably the single biggest factor influencing how many children couples have and when they have them. Why not use economic incentives to make adoption safe, legal—and plentiful? **NR**

2008 III

Game Plan

Should McCain care to win . . .

RICHARD LOWRY &
RAMESH PONNURU

EVER since Barack Obama won the Democratic nomination, John McCain has been within five points of him in a weighted average of national polls; lately, he has been within four. Most Republican strategists thought that Obama would be much farther ahead. Polls show that the public would much rather elect a Democratic president than another Republican one. But voters have enough respect for McCain and enough doubts about Obama to make this race competitive.

Nonetheless, McCain *is* behind, and it is going to take a smart and well-executed campaign to change that. The Iraq War is unpopular, and Americans want to end it as soon as we reasonably can. Most Americans are dissatisfied with the economy, upset in particular by the rising price of necessities. The number of people who think the country is on the right track is in the teens. President Bush and his party have been deeply unpopular for several years. Liberals are excited and organized in a way that conservatives aren't.

The good news for Republicans is that Obama can be beaten. The bad news is that the McCain campaign has embarked on a course that—although it has some of the right elements—seems likely to fail, and the tightening of the polls may encourage it to continue on that course. The race wouldn't be as competitive as it is if McCain didn't have unusual strengths as a political persona, but McCain is also a great risk to his own cause. In important respects, he needs to run an un-McCain-like campaign, more negative than he'd prefer, more focused on domestic policy, and less freewheeling: Think of a Republican Hillary Clinton circa this year's Ohio and Pennsylvania primaries.

The pitfalls of the McCain campaign so far are utterly characteristic of the candidate. It has often been remarked that McCain is a politician who thinks in terms of honor rather than political philosophy. The great danger for such a politician is not that he will be too honorable to win, but that he will be too obsessed with honor to do so: that he will campaign in a way that caters to his sense (and his devoted aides' sense) of his singular qualities but does not move the public.

This tendency has led McCain into a few missteps. In April, he denounced a legitimate though ham-handed ad placed by North Carolina Republicans against the Democrats as beyond the pale. The effect was to make conservatives think twice before running ads to support McCain: Would the candidate denounce them too? A few weeks later, he got bogged down in a pointless debate about the lobbyists working for him, with his campaign going to such absurd lengths to demonstrate his incorruptibility as to make it look more doubtful than it is.

Some Republicans worry that McCain has neglected to take obvious and fair shots at Obama because he considers such campaigning beneath him. If President Bush had run against someone who said that Americans should no longer eat, drive, or air-condition their homes as they wish because these habits makes foreigners dislike us, he would have hit back hard. McCain has so far let the opportunity slip by. Nor has he said anything in response to Obama's comment that Americans should worry less about whether immigrants' kids are learning English than about whether their own are learning Spanish.

More recently, and more consequentially, McCain has hit upon "country first" as his campaign theme. It is an attempt to package his war heroism together with his independence from his party and from interest groups. It is also an attempt to portray Obama as a self-interested cynic without a moral core. McCain's adoption of the theme has been accompanied by a vigorous campaign to characterize Obama as an unprincipled flip-flopper.

The appeal of this theme to McCain is obvious: It suggests that he is in a different class from the average weathervane politician. But it has defects on both its positive and negative sides. McCain may very well persuade Americans that he is an admirably public-spirited fellow, as he surely is, without persuading them that he is the right man to lead the country. (If the 1992 and 1996 campaigns had been referenda on who was the better man, Bill Clinton would have lost both times.) And while Obama's flip-flops, which have indeed been brazen, could become a liability, they could also lead people to think that he is not a zealot, and is thus not a risk in the Oval Office. Obama's flip-flops have, after all, moved him closer to public opinion. In any case, most people are neither scandalized by flip-flops nor likely to regard McCain as especially virtuous about avoiding them. He has executed plenty of his own, and even if he hadn't, a cynical public would assume he had.

From time to time someone suggests that McCain should center his campaign on his far-sighted advocacy of the surge in Iraq. McCain takes justifiable pride in his record on the surge, and would no doubt like to run on it. He should make it an issue: His good judgment, his political courage, and his perseverance are part of the case for his elevation to the presidency. But we suspect that, given his druthers, he would lean too heavily on this argument. The public's acknowledgment of the success of the surge will not overcome its regret that we entered the war in the first place or its desire to leave. True, it does not want to leave precipitately. But now that the Democratic primaries are over, Obama is trying to fudge the issue.

With worries about the economy looming ever larger, it is not foreign policy or considerations of honor that are going to matter most to voters, but bread-and-butter concerns about which candidate will best protect their standard of living. Neither Obama nor McCain is a natural at addressing these concerns. Both are products of elite institutions (the Ivy League and the leadership of the U.S. Navy, respectively) at some remove from the commercial republic in which most of us live. Both gravitate toward process-oriented issues and tributes to their own political character. In this connection, McCain needs to hear three words of advice: Get over it.

A PAGE FROM HILLARY

McCain would be most comfortable running in accord with his particular notions of political virtue while emphasizing character, national security, and a few pet causes such as earmarks. If he wants to win, he has to leave his comfort zone. He should take a page from Hillary Clinton. She did not, of course, defeat Obama, but she road-tested a strategy that cost him support among crucial constituencies—and that strategy is even better suited to McCain's general-election run than it was to her primary campaign.

McCain ought to be encouraged by how close she came. She was a plodding speaker lacking pizzazz, drew smaller crowds than Obama by an order of magnitude, and was outspent and outorganized. McCain will have all the same deficits. Yet she fought Obama nearly to a draw, and after February—when she had finally figured out how to run against him—beat him soundly. That was too late for her. But it is not too late for McCain.

Even her failure offers an instructive lesson for McCain. She went too long without frontally attacking Obama. When she did get more aggressive, he was already galloping toward the nomination on the strength of his narrow but insurmountable pledged-delegate lead. McCain has repeated this mistake, whether because of his sense of honor, his campaign's disorganization, or, less likely, some master plan that escapes most observers. McCain and the Republican National Committee should have hit Obama right after he won the Democratic nomination. An Associated Press poll shows that the two words people tie most to Obama are "outsider" and "change," associations McCain should have been contesting from Day One.

Once Clinton went after Obama in earnest, she came back. She surged on the strength of her "3 A.M. phone call" ad, which ran prior to the Ohio and Texas primaries and argued that she was better suited than the neophyte Obama to handle a crisis. And she rolled up her post-February wins on the basis of lunch-bucket appeals to working-class white and Hispanic voters. For a contemporary Democrat, Hillary ran a center-Right campaign; she talked of blowing Iran to smithereens, downed shots of Crown Royal, and appealed frankly to blue-collar whites. Many of these tactics had little substance, but they conveyed a sense of toughness that endeared Hillary to her voters and highlighted a vulnerability of the polished but aloof and fragile-seeming Obama.

McCain is in a better position to use this strategy against Obama than Clinton was. She was never wholly convincing in her adopted role as a working-class warrior. She would more naturally be cast as a bureaucrat or schoolmarm. McCain, on the other hand, has the warrior part of the persona in his genes. Nor does McCain face the constraints Clinton did. Going negative in a primary makes party loyalists deeply nervous, and explicitly attacking cultural liberalism in a Democratic primary is unthinkable. Obama has more evident weaknesses than he did when the Democratic primaries started and he was freshly on the scene. His core audience, finally, is a smaller proportion of the general than of the Democratic-primary electorate.

Oddly enough, the most disgruntled of Clinton's supporters are not the voters that McCain should try hardest to reach. It should go without saying that feminists will not deliver McCain the presidency. Her hard-core early supporters, middle-aged white feminists, may be complaining about Obama but are totally committed to abortion and will vote accordingly. It is her soft-core and later supporters who can be reached. Clinton got them so easily as to suggest that they were as much an anti-Obama vote as a pro-Clinton one.

McCain's greatest opportunity will be among whites (and, to a lesser extent, Hispanics) without college degrees. Democrats who fell into these categories proved unreceptive to Obama in the primaries. McCain should have an even bigger opening among the independents and soft Democrats in these groups. Working-class whites have been swing voters in presidential elections, with most of their votes going to Republicans but the margin making the difference between victory and defeat. Many of them are at least moderately conservative on social issues, but they are receptive to Democratic proposals on health care, the minimum wage, and other economic issues. A lot of them are union members, or married to union members. If McCain makes inroads among these voters, his numbers will rise disproportionately in such swing states as Michigan, Missouri, Ohio, Pennsylvania, New Mexico, and Nevada.

The first step toward getting them is to make the anti-Obama case. The cliché among political operatives and pundits is that this election is "about Obama." The truth in the claim is that since the public would rather have a Democratic president, the race will turn largely on whether Obama is an acceptable one. It follows that McCain's main task is to make him unacceptable to voters—and particularly to non-black working-class voters. He has to first raise concerns about Obama and then show how his candidacy addresses those concerns.

McCain may be resistant to bowing to the reality of how much the race will be defined by Obama. He may still imagine himself as he was circa 2000: the fresh face on the national scene, beloved of the press, a star and a phenomenon. But a conspiracy of circumstances—most important, the passage of time—has transferred his former star power to Obama. So victory for McCain has to start with a deconstruction of Obama, executed in a traditional, disciplined, block-and-tackle campaign.

The case against Obama need not (and probably should not) be subtle. In a nutshell: He's too inexperienced, too liberal, and as a result too risky. McCain has to argue that a man who has been in the Senate a mere four years, and whose most significant résumé items prior to that are a stint in the Illinois legislature and time as a community organizer, is not ready to be commander-in-chief in dangerous times. The flip-flop charges against Obama will achieve nothing for McCain unless they are deployed to make him look risky: immature (he doesn't know what he thinks), weak (he caves to pressure), and dishonest (he tries to fool people).

The Obama campaign—and much of the press—will want to declare this kind of tough anti-Obama message illegitimate. Inevitably, the McCain campaign will be accused of racism (if it can happen to the Clintons, it certainly will happen to a Republican running against Obama). While McCain should, of course, not give gratuitous racial offense, he has to take an early and vocal stand against attempts to rule legitimate criticism of Obama out of bounds as race-baiting.

On top of this, McCain has to go after Obama's liberalism, which verges on radicalism. The congealing conventional wisdom is that attacks on liberalism are "tired." But there is no evidence that the "change" the public wants is left-wing. McCain is deeply averse (for no good reason) to hitting Obama over the Rev. Jeremiah Wright. But Obama's record, from Illinois to the Senate to the campaign trail, provides many other openings. The bottom line is that Obama is a liberal you can't trust and can't, in every sense, afford.

THE POSITIVE CASE

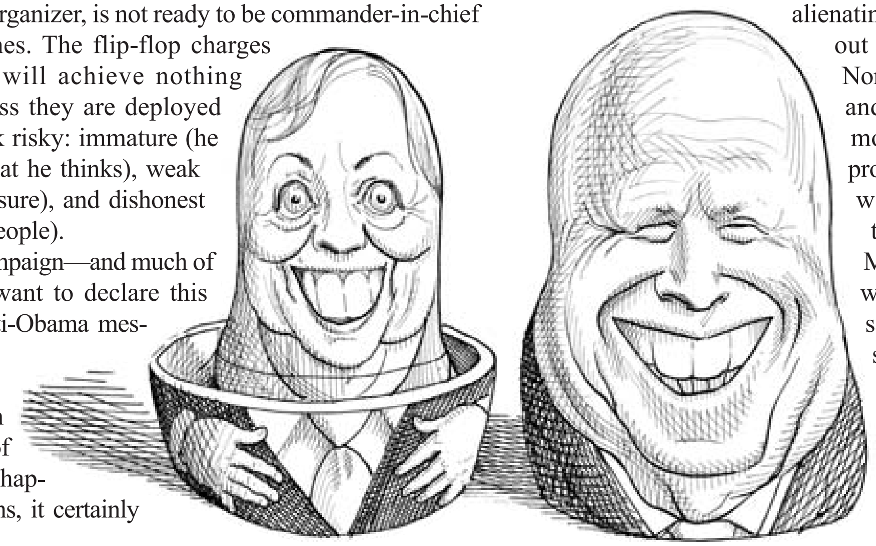
Such are the Republican straits this year that doubts about Obama aren't by themselves going to be enough for McCain. He has to present himself as a compelling answer to the moment. And any election is a choice; the question of Obama's acceptability will be judged relative to McCain's appeal. McCain's selling points are exactly the reverse of Obama's: He is experienced, in the political mainstream, and a steady hand.

The challenge that the current political landscape poses to McCain is obvious. In a recent Rasmussen poll, 41 percent of respondents identified themselves as Democrats, 31 percent as Republicans, and 27 percent as independents. Republican numbers have not been that low in decades. In this context, McCain needs every Republican vote he can get, but that won't be sufficient to win—he needs independents, and he needs distance from Bush.

McCain is actually in pretty good shape with evangelicals, a key part of the Republican base. An NBC–*Wall Street Journal* poll showed him beating Obama 69–21 among evangelicals. If he wins 70–75 percent of the evangelical vote, it's probably enough to hold the South. As long as McCain picks a pro-life running mate, Obama's social liberalism is going to do a lot of his work for him.

But McCain cannot be complacent. He will have to be willing to highlight Obama's abortion extremism and tacit support for court-imposed same-sex marriage. And private meetings with evangelical leaders are an important way to reach out without alienating other voters. McCain went out of his way to fly to western North Carolina to meet with Billy and Franklin Graham at their mountaintop retreat. He should probably have a similar sit-down with James Dobson, although the two are estranged. In Ohio, McCain had a private meeting with evangelical leaders that is said to have gone quite well. He should have such meetings with the top evangelical and pro-family leaders in every swing state.

The question of judicial appointments is also important



ROMAN GENN

to evangelical voters, and has crossover appeal. The speech McCain gave on judicial issues at Wake Forest University in May was a sterling statement on the issue. But he has gone light on the topic since (as Byron York explains on page 22), even though the U.S. Supreme Court and the California supreme court have given him plenty of openings to expound on the outrages of an overreaching judiciary.

Several of the most salient issues in this election hold promise for Republicans: Tax increases are still unpopular; support for domestic oil drilling and nuclear power has shot up (for nuclear it is as high as 67 percent); the Iraq War, while remaining a negative, has steadily become less of one; and Republicans lead on fighting terrorism. McCain can, and must, win these debates.

McCain's case for himself on foreign policy almost writes itself: He has been immersed in it for 30 years, his military judgment about Iraq has been spot-on, and he recognizes the dangers we face around the world. The public isn't in a belligerent mood, so McCain needs to avoid seeming reckless or dismissive of allies; but on Iran, for instance, he has sold a policy that seems, and is, tough and responsible.

It is on domestic policy that Republicans are weakest, as has been the case in most years. That is a reason Republicans ought to be talking more about it: They have a lot of upside potential.

Health care is supposed to be one of the Democrats' best issues this year. But they are overreaching, and Republicans have as strong a platform as they ever have had. McCain wants to level the playing field so that individuals who buy health insurance on their own, rather than get it through their employers, face no tax penalty. He also wants to create more options on the individual insurance market by letting people buy from out-of-state suppliers. He can plausibly say that his plan will make insurance more affordable. He will thus get more people insurance without forcing them to buy it or subsidize it. His plan involves no backdoor government rationing or penalties for small business, as Obama's plan does. What voters want most when it comes to health insurance are portability, affordability, and control. McCain should make the case for his plan with confidence and frequency.

Oddly for a Republican, McCain is better positioned on health care than on taxes. He has proposed several tax cuts and tax reforms, but none have offered much in the way of immediate benefits for middle-class families—which is particularly important, to counter Obama's promise of a middle-class tax cut. The only way for McCain to offer middle-class tax relief is to go after the tax that hits the middle class hardest: the payroll tax. And the only way to do that without taking on Social Security frontally is to offer families a tax credit for children that can be applied against payroll taxes. That idea should appeal to independents and even some Democrats.

Conservatives should be willing to give McCain a fairly wide berth to accent his maverick credentials. Incredibly enough, his favorable/unfavorable numbers are comparable to Obama's. The trouble is that a few of the issues on which he struck out alone aren't very saleable in current circumstances—a cap-and-trade system to address global warming when everyone is straining under increased energy prices; closing Gitmo when the Supreme Court has taken the underlying logic to an absurd length in its *Boumediene* decision.

But McCain's advocacy (for better or, largely, worse) of campaign-finance reform and "comprehensive" immigration reform, together with his excoriating opposition to the earmarks of both parties, delineate his independence. By the end of the campaign, an element of his argument will surely have to be that he can be a healthy check on the excesses of a Democratic Congress, while working with it, when possible, to advance important goals.

Even in a best-case campaign, McCain is going to have to take a few calculated risks. One of them might be making a one-term pledge during his speech at the Republican convention: a commitment to place fixing Washington above personal or partisan interest.

UNITER

Most important, McCain's campaign needs a unifying theme. It so far has lacked one, which has made it seem carping and defensive, and has diminished McCain. The good news is that McCain should easily be able to meet the moment—finding an appropriate theme won't require him to reinvent himself. Here again, he can emulate Hillary, offering a conservative version of her occasional theme of a "fighter for you." In particular, he should be fighting for middle-class Americans against the lobbyists, institutions, and liberals who in various ways block their aspirations.

It is not enough, in other words, to offer wonky "reforms," although that's important. McCain has to tap into the anger and frustration of the American public. He has to complain that Washington is broken and argue that both parties have let voters down. He has done it before. In 2000, he was the feisty—even angry—crusader against Washington and the status quo. It wasn't the ideal message for a Republican primary audience at that time, but now that voters desperately want such a candidate, McCain can't quite find his old mojo.

The fighter theme would work on multiple levels. It would tap into the public mood of disenchantment with Washington and politics. It would suit McCain, who is at his best when expressing an outraged irascibility (getting angry is not something he usually has trouble doing) and whose sense of honor is genuinely offended by many Washington practices. It would be in keeping with an aggressive anti-Obama campaign. It would communicate a certain vigor, perhaps mitigating concerns about his age. It would excite conservatives because—much of the time—McCain would be fighting against a confirmed liberal with an adoring media, while the populism and the anti-Washington cast of the message would appeal to independents as well.

The McCain campaign shouldn't be lulled into a false sense of security by the narrowness of Obama's lead. It may be that the best analogy is not 1976—when the upstart challenger Jimmy Carter opened a huge lead over President Ford that steadily diminished over the fall—but 1980. That race was close until the end, when voters decided they were comfortable with Ronald Reagan, allowing him to blow out President Carter. If that's the case, McCain helps Obama every day he fails to define and challenge him, as the public slowly gets used to the idea of the Democrat as a national leader.

The environment is so tough for Republicans that McCain won't be able to win just on points. If it's even a close call whether Obama is acceptable, Obama probably wins. McCain needs to fight, and time's a-wastin'. **NR**

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the long view

ROB LONG

Other Half-Read Open-Microphone Apologies . . .

Dear Mitt:

I hesitate to even mention this, because it's really not a big deal, but on a recent episode of *Hardball* I engaged in some light-hearted banter with Chris Matthews. Unbeknownst to me, my studio microphone was still "hot," as they say in the business, and while Chris and I were joking around, I may have made some comments that, when taken out of their context, may seem insulting or even derogatory to you.

Obviously, I don't think you're behaving in a "slavish" way by continuing to signal your availability and willingness to serve as John McCain's vice president. I know, of course, that this is a stressful and complicated time—hey, they're mentioning me for the VP slot, too!—and I certainly don't want to make the situation worse, and I fear that my comments, while meant in the spirit of fun and good humor, may be misinterpreted. Specifically, when I joked with Chris that you had all but applied your lips to John McCain's (PLEASE TURN TO PAGE TWO)

Dear Nina:

Believe me, I was shocked to discover, during your recent live report from the Supreme Court on NPR's *All Things Considered*, that my in-studio microphone was live and broadcasting.

As I know you know, the frenzied, up-to-the-minute atmosphere of *ATC*'s broadcasting studios sometimes gets the best of everyone, and I'm no exception. I hope you know that I treasure your reporting, and count myself lucky to be able to call you a colleague.

Thus, it is with horror that I realized, too late, that during my whimsical and (I hope) harmless remarks the other day, my words were being broadcast to the entire *ATC* listenership.

Obviously, I do not and have never thought of you as a "tired old bag of bones." Nor do I feel that your reporting of the Supreme Court counts in any way as a "mild sedative." Furthermore, I can't believe that my remarks about you and Clarence Thomas could ever be seen as anything but light-hearted satire, especially when I began to mimic the noise (or what I imagined might be the noise) if you and he (PLEASE TURN TO PAGE TWO)

Dear Bill:

I hope you know how much I respect you, your amazing service to our country as president for eight wonderful years, and the incredible work you're doing now, in your Clinton Global Initiative and your other philanthropic activities.

And I know that you, of all people, understand that there are times when sleep deprivation, stress, or just plain old bad judgment come into play, and you sometimes say or do things that you don't mean to say or do.

On my recent appearance on Fox News, during an unguarded moment when I was certain that my studio microphone was off, I was overheard making what I still think of as breezy, light banter–ish comments about your recent work on behalf of your wonderful wife, Hillary, and her hard-fought historic campaign to become the first female presidential nominee of a major party.

Obviously, you and I have known each other for so long that it's crazy to think that I actually suspect you of "double motives" or even a "subconscious desire to see Hillary eat the dirt," and I never truly meant to imply, when I said that her "smug victim act would drive any ordinary husband to murder," that her smug victim act would drive any ordinary husband to murder.

And I think it should go without saying that I don't in any way think of you as "unhinged" or "drowning in sleaze," and when I conjured up the fanciful and entirely imaginary image—and, again, doing so in what I now realize was an inappropriate forum—of you on Ron Burkle's jet, face entirely buried in (PLEASE TURN TO PAGE TWO)

Dear Gwen:

On a recent episode of my PBS news program, *NewsHour with Jim Lehrer*, some of my in-studio guests and I indulged in a little casual speculation about who among us might take over the hosting duties for *Meet the Press* following Tim Russert's tragic and untimely death.

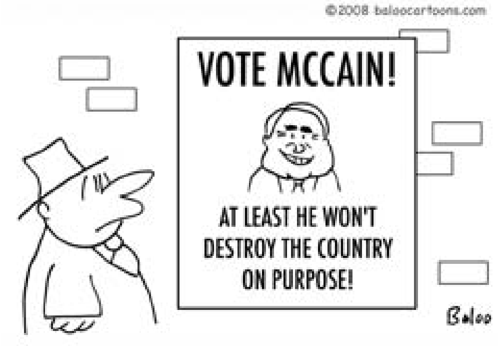
I hope you know how highly I think of you, and how much I respect your journalistic skills and integrity. Additionally, I hope you know I am rooting for your selection as the new host of that historic program.

My comments about your appearance, your "hotness," and your "sexy, pouting lips, fantastic curves, and dynamite bod" should in no way be taken as a lack of respect or a demeaning assessment.

On the contrary, Gwen, let me be clear: I had no idea that my microphone was "hot" (unlike you, my microphone does not ooze hotness) and had I known, I would never have had the courage to say those things.

But I did say them. And now you know, Gwen, just exactly how I feel about you. Gwen, when I see you behind a desk at those presidential debates, I want to run over and rip off (PLEASE TURN TO PAGE TWO)

HELP!!!!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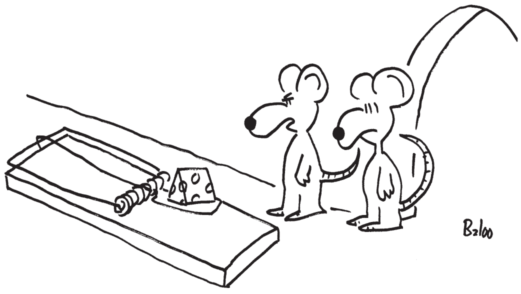
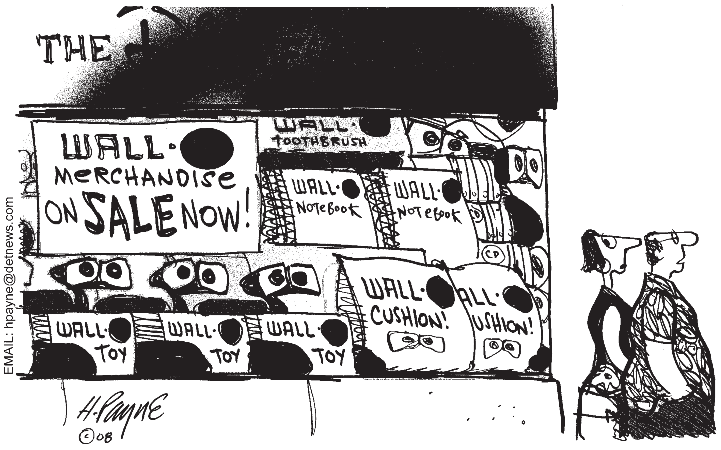
Baloo



“*They’re* so obvious *about it.*”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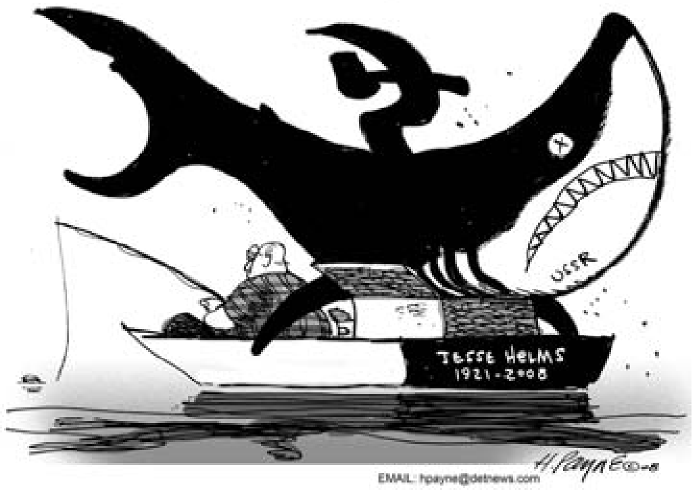
“WALL-E? It’s a movie warning against consumerism.”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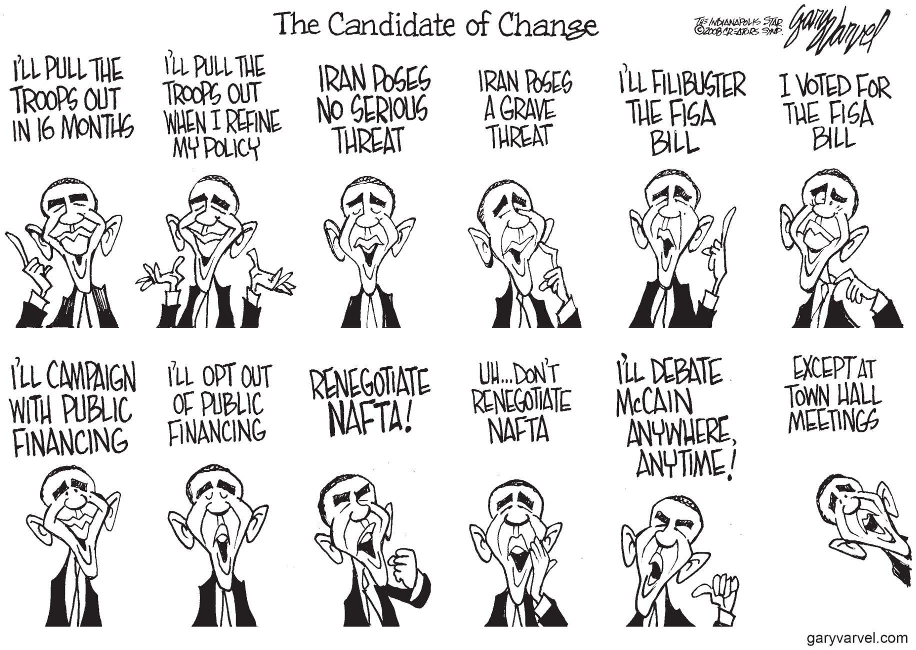
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I'LL PULL THE TROOPS OUT WHEN I REFINE MY POLICY
IRAN POSES NO SERIOUS THREAT
IRAN POSES A GRAVE THREAT
I'LL FILIBUSTER THE FISA BILL
I VOTED FOR THE FISA BILL
I'LL CAMPAIGN WITH PUBLIC FINANCING
I'LL OPT OUT OF PUBLIC FINANCING
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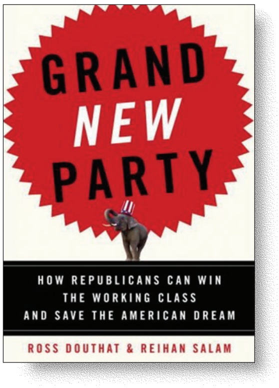
One-Nation Conservatism



Grand New Party: How Republicans Can Win the Working Class and Save the American Dream, by Ross Douthat and Reihan Salam (Doubleday, 244 pp., $23.95)

FRED SIEGEL

Back in the early 1990s, when globalization was promising widespread gains and crime and welfare were hot issues, working-class voters were socially judgmental and economically tolerant; this created a playing field favorable to Republicans. When white working-class voters who had backed Perot in the 1992 presidential election swung to the GOP in 1994, Republicans captured the House for the first time in 40 years. But today, as doubts about globalization grow, and crime and welfare are coming to be viewed as merely local problems, those same working-class voters have become far more economically judgmental and socially tolerant. In 2006, they swung toward the Democrats, who recaptured the House of Representatives.

The timely thesis of *Grand New Party* is that the party that captures “the non-college-educated voters who make up roughly half of the electorate” will dominate politics for the foreseeable future, as has been the case ever since the New Deal. The book’s thesis, which was in effect the rationale for both the Huckabee campaign and the latter stages of the Hillary Clinton campaign, is likely to be given another test in the general election—in which middle-class swing voters, who’ve deserted the GOP but have doubts about Barack Obama, hold the winning cards.

Authors Ross Douthat and Reihan Salam, who both work for *The Atlantic*, are among the brightest lights in the younger generation of political thinkers. (Douthat is also film critic for NATIONAL REVIEW.) They show quite convincingly that neither party is able to speak effectively to these voters. Democrats respond to their economic anxieties, but mistakenly dismiss their cultural concerns as merely a Republican contrivance, and offer to assuage their concerns by making them clients of an ever-expanding state. Douthat and Salam demonstrate further that “the so-called social issues,” from abortion, marriage, and religion to the death penalty and immigration, “aren’t just red herrings,” as liberals insist. Rather, they speak to the realities of working-class life, in which a failed marriage or crime or low-wage competition can put a family on the skids: “Working-class social conservatism . . . wasn’t just the residue of ancestral prejudices, it was and is a rational response to lives absent the security provided by wealth and degrees.”

‘The Right,’ the authors argue, ‘can succeed only if it champions the politics of solidarity as well as a politics of liberty.’

Church and family as conventionally understood—and not government—are the bulwarks of the social solidarity essential for a stable and successful lower-middle-class life. But if liberal Democrats, some occasional rhetoric aside, are allergic to the social issues, business Republicans seem insensible to the perils produced by a global glut of low-wage labor that includes illegal immigration here at home. If Republicans refuse to recognize “that the white working class wants, and needs, more from public policy than simply to be left alone,” they will, the authors insist, be cast into the political wilderness.

Douthat and Salam insist, quite rightly, that the danger ahead for the country at large is an increasingly stratified society in which a mass upper middle class can, in good conscience, achieve social dominance on meritocratic grounds. The breakdown of the old New Deal order in the 1960s led to greater economic and cultural freedoms, which have combined to help produce this far less egalitarian society. The combination of intermarriage among professionals and a higher divorce rate among the less educated has helped midwife a Europe-like class structure, in which the upper middle class (particularly in the tech and financial-services industries) lives segregated from ordinary Americans.

The authors find this troubling, but they seem unaware that it is not a problem at all for today’s powerful class of gentry liberals, who benefit from both the global economy and the creation of a servant class that provides them with inexpensive household services. It is illegal immigration, and the flow of servants it provides, that has, in a sense, reconciled upper-middle-class feminism with the family.

“The Right,” the authors argue, in making a case for what might be described as One-Nation Conservatism, “can succeed only if it champions the politics of solidarity as well as a politics of liberty.” Both are essential for repairing the rungs of social mobility.

The book offers a long list of reasonable proposals, ranging from expanded health-care-insurance pools to enhanced child tax credits and modernized highway signals (to reduce commuting time), that are designed to help create stronger, more secure families. The litany of solutions, which includes many of the proposals floating around the think-tank world, are not nearly as compelling as the book’s underlying argument. Nowhere do the authors take up the sheer incapacity of government to design

Mr. Siegel is a senior fellow at the Manhattan Institute and author of *The Prince of the City: Giuliani, New York, and the Genius of American Life.*

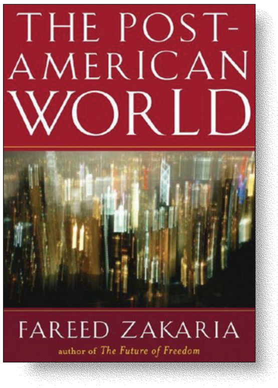
effectively, and administer, sophisticated programs.

The section on education, our once time-honored means of opening up the channels of opportunity, is particularly disappointing. A quarter century after the appearance of the historic report *A Nation at Risk*, school spending in real dollars has more than doubled, and literally hundreds of reform programs have been put to the test, all to scant effect. As it now stands, with the near collapse of our non-elite K–12 schools (and the reduction of many colleges to little more than remedial high schools), gentry liberals have had their superiority reconfirmed by the relative absence of lower-middle-class kids at the best universities. The debates between those who insist that even more money for public schools will do the job and those who argue that market mechanisms can restore a culture of learning are going nowhere. The key issue, raised by people such as E. D. Hirsch, Diane Ravitch, and Sol Stern—namely, the *content* of education, as opposed to its manner of delivery—has been left off the table. In the case of a somewhat promising development, the growth of home schooling, Douthat and Salam argue oddly that we need to have "state and local regulators" take a larger hand in a reform designed to evade the dead hand of educational bureaucracy in the first place.

Energy is unfortunately mentioned only in passing. But it is the issue, immigration aside, most likely to exacerbate inter-class tensions in the coming years. Given liberals' religious devotion to environmentalism, even if it means shipping good jobs overseas, and the Bush administration's post-9/11 failure to develop a path to greater energy independence (through a mix of conservation and drilling and mining at home), the costs are likely to fall heavily on working-class citizens. From the perspective of gentry liberals, a job shipped to China means a cleaner America.

Grand New Party, an essential read for the electoral season, has put its finger on the shape of coming political conflict. But given the discredited condition of the Republicans and the triumphalism of the Democrats, it's not likely that a thoughtful policy debate on our increasingly un-American social structure will come to pass any time soon. **NR**

Still the One



The Post-American World, by Fareed Zakaria (Norton, 288 pp., $25.95)

JOHN HILLEN

Thucydides, Virgil, Toynbee, Macaulay, Gibbon, and other great chroniclers of rising and falling would probably agree that every great state, empire, civilization, or even system carries within itself the seeds of its own decline. But the modern colossus of the post–World War II international system that was created and dominated by the United States is surely a unique case: At the core of this system is the notion that, even as the U.S. creates and exports a set of rules and norms in its own interest, the country is forced to lose relative power and stature *precisely so that it can continue to advance*. The political and economic framework upheld by the U.S. over the past 60-odd years purposefully spurred the growth and prosperity of the partners whose increasing share of global power is the subject of Fareed Zakaria's new book.

Zakaria, big-think author and editor of *Newsweek International*, posits that in every possible sphere of influence and power outside of the politico-military, the age of American imperium is over and America will henceforth share the leadership role in world events with other players. Much as several professional-sports leagues tweaked their rules over the past 30 years to induce competitive parity, Zakaria's "post-American" world will feature an international system in which the U.S. will have to share the rule-setting role it controlled for so long.

What to do about it? Zakaria tells us, in essence, to get over it and enjoy it. "This hybrid international system—more democratic, more dynamic, more open, more connected—is one we are likely to live with for several decades." After all, the American push for free markets and political pluralism has produced a world trending steadily away from the major-state conflicts that made the last century so bloody, and a global economy in which almost all major players and most minor ones simultaneously benefit. The pie is growing for everyone, and while America's relative share is smaller as a result, its share is still enough to keep it on top, for now.

Zakaria's thesis has been unfairly bashed in some quarters as declinist, but I think he gives the U.S. more than its due in an increasingly competitive world. While he charts the economic and soft-power rise of the EU, India, and China, he notes the seemingly enduring American advantages in productivity, demographics, R&D, and overall economic and cultural vibrancy that will keep the other comers just that for a good half century or more.

More important, he notes that the U.S.'s relative decline "need not be large-scale, rapid, or consequential, as long as the United States can adapt to new challenges as well as it adapted to those it confronted over the last century." For Zakaria, that adaptation means policies that leverage America's economic advantages and minimize or fix its dysfunctional political tendencies. These latter give us bull-headed exceptionalism of several kinds, ranging from resurgent economic populism on one hand to unilateral crockery-breaking on the other.

Zakaria smartly recognizes that "there is still a strong market for American power" and "a strong ideological demand for it." After all, as one Singaporean scholar points out, "No one in Asia wants to live in a Chinese-dominated world" (except, one supposes, 1.3 billion Chinese). Even so, the author maintains that an America operating in a world in which it must share more of the economic and cultural pie

Mr. Hillen, a former NR contributing editor, served as an assistant secretary of state in the George W. Bush administration.

would be wise to act more like Bismarck's Germany—which sought to have better relations with *every* power than any other power had—and less like imperial Britain, which sought to play off some powers against each other while dominating still others. The U.S. should focus more on building broad rules from which it benefits rather than letting its narrow self-interest drive the policy train, and order à la carte from a variety of international mechanisms to solve problems, instead of looking always for an American-led solution. From such a sober and more modest approach, Zakaria argues, American legitimacy will be restored internationally.

I'm all for clever Bismarckian approaches, and have even learned to swallow legitimacy that is apparently conferred by Upper West Side dinner-party guests and European salon intellectuals; as a policymaker, I found this made it easier, at times, to do our business. Nonetheless, Bismarck's strategy was what it was because of the constraints and limitations on Prussia's power at the time—not because he purposefully wouldn't take a five-gear auto out of third gear. I'd imagine Zakaria would say that that is exactly his point, that the new players on the economic, educational, technological, industrial, and political world stage have limited America's relative power, and demand a more subtle strategic approach.

On this score, however, I think the analysis comes up short. Most of Zakaria's lucid discussion of the distribution of power in the world is based on economics (though he does make some interesting cultural observations—I, for one, am glad that the Japanese produce more of their own television shows and have consigned *Will & Grace* to the bin). And because linear economic statistics drive us toward his relative-American-decline conclusion, Zakaria's general notion of power and influence tends to sit, in the final calculations, almost entirely on that line in the ledger.

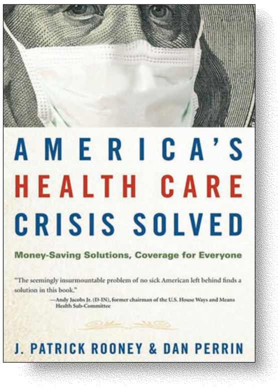
I know, from having worked with him a decade ago, that Zakaria has a first-class strategic mind and that his appreciation for the politico-military dimensions of power is profound. Indeed, he notes in passing throughout this book some key strategic markers: the inevitable appearance of more nuclear states, the EU's self-limiting choice of becoming an economic giant but a military also-ran, and the conditions and choices in India and China that will keep both from being able to project power outside of their own immediate spheres to any strategic effect for some time.

But while economic power may indeed be more diffuse, the strategic fact of our time, and of the next half century, is that the world is producing more strategic challenges than it can consume. And the one player on the world stage that can respond with politico-military power to almost any contingency—ranging from immediate humanitarian relief in Aceh, to large-scale counterinsurgency operations in Afghanistan, right on through to the strategic deterrence of Iran—is the United States. In this field, a phenomenon opposite to the one Zakaria outlines for economic and soft power is taking place: Geostrategically, America's relative power is *growing* while its power in other ways remains the same or even declines—because the ability of the rest of the world to project and sustain hard power for any conceivable strategic mission is falling.

It would have been useful for Zakaria to address this contradiction, as he is suited by temperament and training to do so. And simultaneously treating the relative rise in America's strategic power along with its relative decline in economic and soft power would have made for more interesting and perhaps realistic conclusions. Economic projections lend themselves to linear analysis and linear thinking—but history tends to be non-linear, and strategic affairs even more so. Straight-line extrapolations of economic trends and data are important in understanding the future and the power relations within it, but one good strategic knuckleball can wreck the whole scheme.

The U.S. remains, as Zakaria observes, increasingly alone and dominant as a global politico-military power. That changes things—and should have added to his conclusions about how we should operate in a more diffuse soft-power world. After all, it wasn't simply because of Britain's superior economic system and mercantile dynamism that, some 170 years ago, it was the HMS *Nemesis* that sailed up the Yangtze to humble the great Middle Kingdom, and not a Chinese junk that went up the Thames to stun England. The warship matters too. **NR**

The Right Remedies


AMERICA'S
HEALTH CARE
CRISIS SOLVED
Money-Saving Solutions, Coverage for Everyone
J. PATRICK ROONEY & DAN PERRIN

America's Health Care Crisis Solved: Money-Saving Solutions, Coverage for Everyone, by J. Patrick Rooney and Dan Perrin (Wiley, 242 pp., $29.95)

RICHARD NADLER

THE "ownership society"—a key concept of today's conservatism—is premised on a reversal of the government takeover of major life-cycle functions such as health care, education, and retirement security, through policies that promote individual asset ownership. Two of the titans of this movement are J. Patrick Rooney and John Bogle, the fathers, respectively, of Health Savings Accounts (HSAs) and indexed, whole-market mutual funds.

Bogle created a vehicle through which the average wage-earner could participate fully in the gains of the stock market, outperforming 75 percent of professionals and minimizing transaction fees. Rooney's HSAs enabled families to purchase health care that covered more and cost less than the low-deductible, over-regulated insurance plans prevalent in the post–World War II market. And both men became pariahs in their industries—Bogle in mutual funds, Rooney in insurance—because they spoiled everyone else's fun.

Mr. Nadler is president of America's Majority, a think tank dedicated to building the demographic base of the conservative movement.

The money they saved consumers came at the expense of hosts of professional gatekeepers, regulators, and lobbyists.

It is unusual that the progenitor of an idea serves also as its historian, and as a practical tipster on its use. *America's Health Care Crisis Solved* is Rooney's legacy tome. A leading theoretician in the movement to reintroduce market forces into health care, he was indisputably the prime mover (aided by his current co-author, Dan Perrin) of the legislation that enacted such reforms. And he remains a major marketer of the insurance products that resulted.

Health Savings Accounts, now owned by more than 6 million Americans, were once described by conservative think-tanker John Goodman as "IRAs on steroids." They combine a high-deductible, major-medical insurance policy with a medical savings account, contributions to which are tax-free, accumulations to which are tax-free, and expenditures from which are tax-free. Such accounts can halve the cost of insurance and reduce overall out-of-pocket health-care costs by 20 to 60 percent, depending on the age at which they are started.

HSAs generate other benefits as well. Because the insurance component of his health-care budget has been halved, the HSA owner is insulated from disproportionate inflation in the insurance market. Moreover, the "savings account" portion of the plan can be applied to health-related items not typically covered in a major-medical plan—e.g., dentistry, optometry, transportation to medical appointments. And the family deductible of an HSA can be allocated as needed to individual family members (another Rooney innovation).

The consumer expenditures from the HSA introduce, on a micro level, incentives for healthy behavior; on the macro level, these expenditures regenerate a medical market replete with price competition.

At age 65, those who have accumulated unexpended balances in their accounts can use the HSA, at their discretion, as a supplemental retirement fund. The "penalty" for such non-medical use is that funds withdrawn will be treated as normal income from a standard IRA.

Health Savings Accounts, now owned by more than 6 million Americans, were once described by conservative think-tanker John Goodman as 'IRAs on steroids.'

Health Savings Accounts are not the only market-based reform described in this book. Rooney and Perrin also discuss the "quick care" clinics that are springing up in drugstores, groceries, and "box chains" like Wal-Mart. In these clinics, a nurse practitioner dispenses a limited range of basic tests and treatments faster, and at a lower cost, than an HMO or private practitioner would. These clinics can relieve stress not only on consumers, but on emergency rooms overburdened with uninsured, non-emergency patients.

The authors urge Congress to reestablish the status of health insurance as "interstate commerce." This would allow persons to purchase health insurance across state lines—a practice that could save consumers in high-cost states like New Jersey as much as 75 percent on family coverage.

Saturated as it is with market solutions, the book is also explicitly based in Christian social teachings. Rooney's point of departure was not Adam Smith, but Jesus's healing ministry, including "a preferential option for the poor." It is perhaps for this reason that the original supporters of Health Savings Accounts included such prominent Democrats as Sens. Sam Nunn, Tom Daschle, and John Breaux, and Reps. Andy Jacobs and Dick Gephardt.

As chairman of Golden Rule Insurance, Rooney built an empire on individual health-insurance policies. He was a close student of health-care economics, and he concluded that the laws passed to promote universal coverage had quite the opposite effect. Indeed, the whole system was structurally tilted to favor those institutionally protected, while forcing others out of the health-insurance market altogether. High-premium, low-deductible policies meant higher profits for the insurance companies, and bigger commissions for the agents selling them. Medicare reimbursement based on plant as well as procedure encouraged a building binge in

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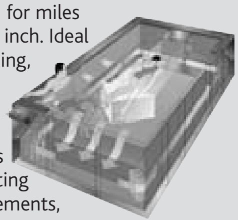

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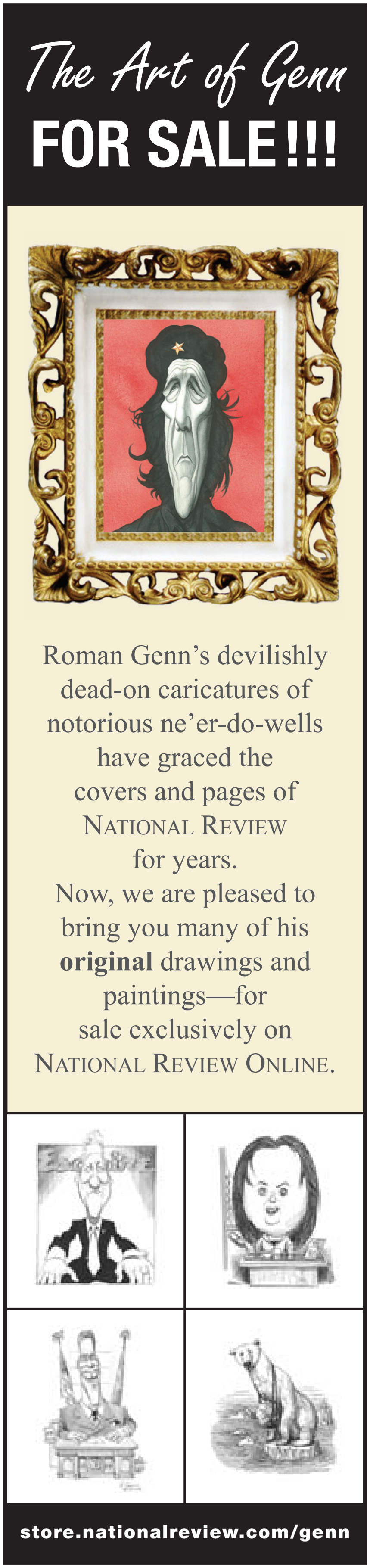

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the hospital industry, just as it had in utilities. Legislation passed during the Clinton administration to force small businesses covering some employees to cover all drove many firms to eliminate health-care plans altogether.

The impetus of the entire system was to increase insurance prices, drive people out of the insurance market, and then gouge them with even higher prices when they were unprotected. The growth of the uninsured population (most of it neither elderly nor poor) would then form one political base in the demand for a "national" plan. The other base was business itself—those crushed by the double-digit inflation in employer-provided coverage, and those driven out of that market by mandates.

"Hospitals," write Rooney and Perrin, "are the trend-setters for the health-care industry." As major employers in almost every congressional district, and as institutions shrouded in a mantle of good works, they generate many of the increases in public-sector outlays (notably in Medicare) through capital spending. But they have kept their profits healthy by extorting the unprotected—the 27 million Americans with individual, rather than employer-provided, policies, and the 47 million with no insurance at all. "The unwritten rule," our authors write, "is to avoid the uninsured when possible, and when not, to gouge them with prices three to five times higher than what others pay. Almost all our hospitals are doing this."

Conservatives are usually correct when they object to the much-abused term "price gouging." But in this case, Rooney—whose Fairness Foundation has documented differential health-care pricing in detail—has the hospitals dead to rights. Those Americans not under the umbrella of Medicare, Medicaid, or employer-provided group coverage are systematically overcharged, not on the basis of their percentage of default, but on their insurance status alone. The uninsured and individually insured, who make up less than one-quarter of the population, regularly generate one-third to one-half of hospital profits. It is this gouging of the unshielded that has enabled the health-insurance industry to evolve seamlessly from a risk pool into an extortion racket.

This scandal leads Perrin and Rooney to propound their other principal reform: price transparency. The George W. Bush administration went a long way toward this with Executive Order 13410, under which Medicare published reimbursement rates for 31 common procedures. Sens. Sam Brownback and Tom Coburn have proposed the Medicare Payment Rate Disclosure Act, which would enable health-care consumers to compare what they are being charged with what hospitals actually accept across the whole range of government-reimbursed services.

America's Health Care Crisis Solved is a book of theory, a historical narrative, and a manual of practical advice. The reader who tackles it will come away richer, sometimes literally. **NR**

SWIMMING POOL

Just one of those unexpected things in life:
he's heading behind the house after school
and sees her standing there, someone's wife,
undressing over the edge of her swimming pool.
Barefoot, she drops her robe to the ground. Within
the sultry-dark and muggy heats of the night,
her loveliness, her soft damp touchable skin,
luxurious, glows in the moon's faint light.
She swims a bit, then sits at the end of her day,
thinking of what? her past? a favorite song?
her husband? Silently rising, she walks away
and into her home. He waits, but not for long,
then enters the house; the air is fresh and cool;
his wife is waiting, still damp with the wet of the pool.

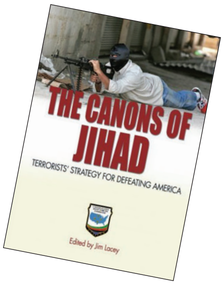
—WILLIAM BAER

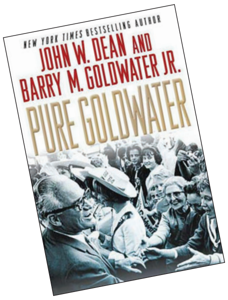
■ SHELF LIFE ■

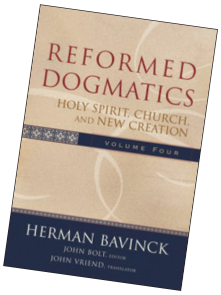
The Enemy Speaks

MICHAEL POTEMRA

In a project sponsored by the U.S. Joint Forces Command, the Naval Institute Press recently released a couple of paperbacks that will be very helpful to anyone trying to understand the war we're in. Both are edited by Jim Lacey, a prominent defense-policy analyst and former Army infantry officer whose writing has appeared in NATIONAL REVIEW. ***The Canons of Jihad: Terrorists' Strategy for Defeating America*** (187 pp., $18) is a reader-friendly anthology of jihadist writings from Hasan al-Banna and Sayyid Qutb to the present day. These texts are hair-raisingly candid; author after author seeks to disprove the contentions—advanced by moderate Muslims and Westerners sympathetic to Islam—that Islam is a peaceful religion and jihad is chiefly the believer's struggle against his own egotism.







Scholar Philip Bobbitt has recently made the case quite eloquently that it is correct to speak of a "War on Terror"—as opposed to a war more specifically against Islamofascism—because the type of war waged by these terrorists will persist in the 21st century after al-Qaeda and other Muslim terror groups are defeated. Bobbitt's thesis finds support in a 1979 article, included in this volume, by Pakistani general S. K. Malik: "Terror struck into the hearts of the enemies is not only a means, it is the end in itself. Once a condition of terror into the opponent's heart is obtained, hardly anything is left to be achieved. . . . Terror is not a means of imposing decision upon the enemy; it is the decision we wish to impose upon him." Jihadists have little practical hope of imposing sharia law on the American heartland—but their atrocities could well inflict unimaginably cruel disruptions on the lives of Americans. This strategy will be available to other global malcontents even after the Muslim extremists are wiped out.

In ***A Terrorist's Call to Global Jihad: Deciphering Abu Musab al-Suri's Islamic Jihad Manifesto*** (205 pp., $19), Lacey condenses a 1,600-page terrorist classic by one of al-Qaeda's key theorists; Lacey compares it, not unreasonably, to *Mein Kampf*. This one offers some encouraging news about the resistance to jihadism among Muslims worldwide: "Anyone looking into the condition of the 1.25 billion Muslims today," writes Abu Musab al-Suri, "will find that the majority of them possess only a superficial form of the religion." The Muslim street's failure to conform to al-Suri's strictures is heartening; if Islam is to be a religion of peace in this century, these folks will need all the encouragement we can give them.

■ Readers who enjoyed Bill Buckley's new book on Barry Goldwater will also have great fun with ***Pure Goldwater*** (Palgrave Macmillan, 399 pp., $27.95), in which John W. Dean and Barry M. Goldwater Jr. provide a generous selection from the conservative icon's private writings.

■ Kudos to Baker Academic, and the Dutch Reformed Translation Society, on the completion of a highly important project. With the publication of Herman Bavinck's ***Reformed Dogmatics, Volume 4: Holy Spirit, Church, and New Creation*** (944 pp., $49.99), the key work of a central Dutch Reformed theologian is at last available in its entirety to the English-speaking world. **NR**

■ TELEVISION ■

In Praise of Drabness

TERRY TEACHOUT

If you're 50 or older, you won't need to be told the source of these half-recalled phrases: "The story you are about to see is true." "This is the city." "I carry a badge." "My name's Friday." If you're much younger than that, though, I doubt that you'll remember *Dragnet* with any clarity. In the early days of network television, *Dragnet* was the most successful of all cops-and-robbers TV shows, as well as the most influential. It's still influential—every episode of *Law and Order* bears its indelible stamp—but TV has since moved in flashier directions, and I doubt that the narrative conventions brought into being by Jack Webb, the producer, director, and star of *Dragnet*, will remain conventional for much longer.

For baby-boom TV viewers, *Dragnet* is both iconic and ironic. The version of the show that ran on NBC from 1967 to 1970, in which Webb was partnered by Harry Morgan, was an exercise in unintended self-parody, full of hippy-dippy druggies and the earnest cops who locked them up and threw away the key. A few of the episodes remain effective in their quaint way, but most are embarrassingly stiff. Part of the problem was that Sgt. Joe Friday, Webb's character, was the squarest of squares, and it was already chic to smirk at such straight-arrow types by the time I reached adolescence. My father watched *Dragnet* religiously, though, so I did too, little knowing that what I was seeing each week was a recycled, watered-down simulacrum of the real thing.

The real *Dragnet* was the black-and-white version that aired from 1951 to 1959. That series, in which Webb was partnered

Mr. Teachout blogs about the arts at www.TerryTeachout.com. He recently finished writing *Rhythm Man: A Life of Louis Armstrong* and the libretto for *The Letter*, an opera by Paul Moravec that will be premiered by the Santa Fe Opera next year.

by Ben Alexander, was pulled out of syndication long ago and has never been legitimately reissued on DVD, nor is any "official" version, so far as I know, in the works. Fortunately, a few dozen episodes were inadvertently allowed to go out of copyright, and it's easy to track down copies of them. Madacy Home Video, for instance, offers a budget-priced *Dragnet* box set containing 25 decent-looking public-domain episodes, and you can acquire a dozen more from Shokus Video. At $19.98, the Madacy box is . . . well, a steal.

Like the later color version, the *Dragnet* of the Fifties was a no-nonsense half-hour police procedural that sought to show how ordinary cops catch ordinary crooks. The scripts, many of which were written by James E. Moser, combined straightforwardly linear plotting ("It was Wednesday, October 6. It was sultry in Los Angeles. We were working the day watch out of homicide.") with clipped dialogue spoken in a near-monotone, all accompanied by the taut, dissonant music of Walter Schumann. Then and later, most of the shots were screen-filling talking-head closeups, a plain-Jane style of cinematography that to this day is identified with Jack Webb.

The difference was that in the Fifties, Joe Friday and Frank Smith, his chubby, mildly eccentric partner, stalked their prey in a monochromatically drab Los Angeles that seemed to consist only of shabby storefronts and bleak-looking rooms in dollar-a-night hotels. Nobody was pretty in *Dragnet*, and almost nobody was happy. The atmosphere was that of film noir minus the kinks—the same stark visual grammar, only cleansed of the sour tang of corruption in high places. But even without the Chandleresque pessimism that gave film noir its seedy savor, *Dragnet* was still rough stuff, more uncompromising than anything that had hitherto been seen on TV. In 1954 *Time* called the series "a sort of peephole into a grim new world. The bums, priests, con men, whining housewives, burglars, waitresses, children, and bewildered ordinary citizens who people *Dragnet* seem as sorrowfully genuine as old pistols in a hockshop window."

The show's plainness was underlined by the fact that most of the scripts had originally been written by Moser for the radio version of *Dragnet*, which was launched in 1949. As Michael Hayde explains in *My Name's Friday*, his excellent biography of Webb, the old scripts were filmed virtually without change when *Dragnet* moved to TV in 1951. Webb believed that there was no need to adapt them more than superficially for the small screen—and he was right. An equally sure instinct led him to cast radio actors in the TV version of *Dragnet*. He didn't care how they looked, only how they sounded, and so each episode featured such unfamiliar faces as Vic Perrin, Olan Soule, and Virginia Gregg, whose unglamorous presence helped make the show seem, in Webb's words, "as real as a guy pouring a cup of coffee."

BCI/ECLIPSE

The squarest of squares

Webb himself was a radio actor who lacked the good looks that would have allowed him to play star parts in Hollywood (his only role of any consequence prior to *Dragnet* was as William Holden's best friend in *Sunset Boulevard*). It was Webb's voice that made him unforgettable: He looked like the second cousin of an aging basset hound, but when he tossed off Moser's crisp dialogue in a gravelly bass-baritone that reeked of the Chesterfield Kings he chain-smoked on and off screen, you hung on his every word.

Webb was a better actor than the critics knew—and a much better actor in the Fifties than he was in the Sixties. John Dunning's *On the Air: The Encyclopedia of Old-Time Radio* contains a penetrating essay on the radio version of *Dragnet* in which Joe Friday is aptly described as "a cop's cop, tough but not hard, conservative but caring." On TV Webb brought out yet another aspect of Friday, the pity he felt for the hapless losers whose paths he crossed each day. But the grueling experience of shooting 276 black-and-white episodes of *Dragnet* in eight years (plus a 1954 feature film based on the TV series) left its mark on Webb. By 1967 he was burned out on *Dragnet*, and frustrated that nobody wanted to see him do anything else. Once in a while he turned in a strong performance, but for the most part the new *Dragnet* was formula-ridden to the point of triteness.

Not so the original series, whose still-undiminished force is far removed from the blandness of the on-screen parody that Curtis Hanson tucked into *L.A. Confidential*. Hanson's *Badge of Honor* mimics *Dragnet*'s surface mannerisms, but suggests nothing of its hard, laconic essence. While Dan Aykroyd's affectionate 1987 film spoof was vastly more knowing, Aykroyd's satirical target was the middle-aged *Dragnet* of the Sixties, in which Joe Friday and Bill Gannon chased after LSD dealers and took care to read them their rights before slapping on the cuffs. To watch its tougher predecessor is an altogether different experience, especially when Webb rattles off such furious speeches as the one he gave to a crooked policeman in a 1953 episode called "The Big Cop":

> You'll be all over the front pages tonight and tomorrow morning. Everybody's gonna read about you. A bad cop. It makes great news. They're not gonna read about 4,500 other cops. The guys who walked their beats last night. The guys who risked their lives, who did their jobs the way they were trained and the way they're hired to do. . . . They're not gonna read about the 98 percent, mister. They're gonna read about you, one crooked, thieving cop. He worked with a burglary gang. He had an apartment for a beautiful dame and he stole her a fur coat, and he was a cop. And he had a nice wife and two fine children.

You don't hear speeches like that on television these days, just as you won't see anything remotely like *Dragnet*. Today's TV viewers prefer blow-dried cynicism to gritty idealism. Me, I don't watch series TV anymore, but I do like to put on an old *Dragnet* from time to time. I like listening to Jack Webb's dark-brown voice—and I like to think, whether it's true or not, that men not entirely unlike Joe Friday are still walking the streets of the anxious city where I live. **NR**

■ FILM ■

A Computer, Not a Divider

ROSS DOUTHAT

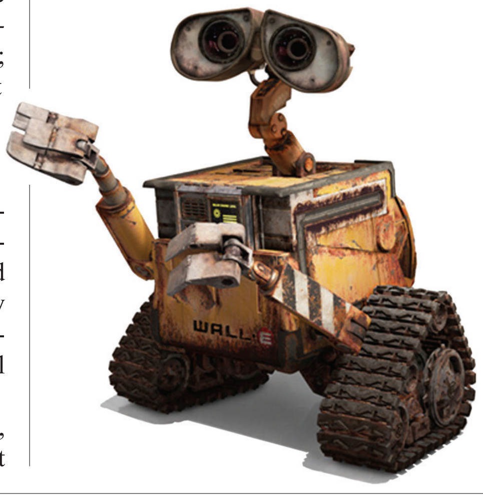
THE most interesting political controversy of the summer involves a polarizing figure with Phil Gramm's small head and goggling eyes, Bill Clinton's affinity for dangerous babes, and an oppo researcher's zeal for picking through other people's garbage. Superficially endearing but ultimately divisive, this troublemaker has been dropped like a hand grenade into the slow political season between Memorial Day and the conventions, turning conservative against conservative with a ferocity not seen since this year's South Carolina primary, and opening up a few cracks in liberalism's united front as well.

I speak, needless to say, of WALL-E, the trash-compacting robot—his acronym stands for Waste Allocation Load-Lifter Earth Class, a piece of trivia worth memorizing if you plan to be a game-show contestant anytime in the 2010s—who lends his name and caterpillar-tracked charm to Pixar's latest computer-animated confection. *WALL-E* and its eponymous hero debuted to the sort of rapturous reviews that practically every Pixar effort enjoys, but the critical hosannas were quickly joined by a political backlash—from free-market conservatives annoyed at the movie's anti-capitalist bent and *Inconvenient Truth*-y environmental hysteria; from anti-fattist liberals who worry that Pixar is propagating myths about obesity and the environment; and from hypocrisy-scourges of the Left and Right alike who don't take kindly to being lectured about capitalist greed and conspicuous consumption by anyone associated with the Disney behemoth, which is busy peddling enough *WALL-E* tie-in merchandise to fill every Eastern Seaboard landfill twice over.

These are all overreactions, to my mind, but the great *WALL-E* controversy isn't just a case of hyperactive, election-addled pundits' politicizing a simple kids' story. Indeed, if you managed to sit through Pixar's latest film without picking up on the politico-philosophical themes that everybody's bickering over, then you're either a *very* stressed-out parent or a robot whose brain is artificial but not particularly intelligent.

WALL-E, our hero, is a solitary, solar-powered survivor of a planet-wide disaster, puttering around in a city where robot-compacted garbage is piled higher than the skyscrapers, and where sun-baked, mud-spattered ads for a corporation-cum-global-government called Buy N Large stand watch, like the eyeglasses of Dr. T. J. Eckleburg, over a landscape even more barren than the ash-heaps of Long Island. Having consumed its way to environmental catastrophe, the human race has fled the planet aboard a fleet of spacious Buy N Large starliners, leaving an army of robots to clean up the mess. Time and chance have whittled that army down to just the one WALL-E, who's groping, in his post-apocalyptic solitude, toward something resembling humanity. By day, he still fulfills his trash-compacting directives, but along the way he scavenges interesting knick-knacks from our civilization's dégringolade, and when night comes he places them reverently in a storehouse of treasures and then settles down to watch the last working VHS tape on Earth: The 1969 Hollywood version of *Hello Dolly!*

As it turns out, *Hello Dolly!*'s lessons—about love, dancing, and the connection between the two—come in handy when a spaceship touches down and disgorges a sleek white female robot, EVE (that's for "Extraterrestrial Vegetation Evaluator," game-show hopefuls), whose mission is to canvass the planet for plant life, while using her laser gun to blast anything that makes a sudden move around her. Ducking the blaster-fire, WALL-E falls in love, but before their courtship has gone very far EVE finds the sort of seedling she's been looking for, seals it away in her robotic womb, and goes into hibernation mode, waiting for her ship to pick her up. The faithful WALL-E guards her while she hibernates and then stows away on her vessel, which carries them both back to the largest of the Buy N Large starliners, the *Axiom*, where we finally see what's become of the human race.



DISNEY/PIXAR

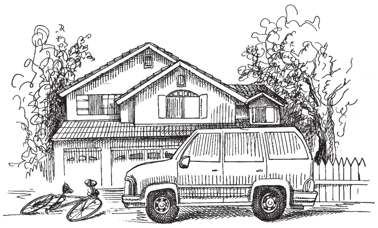
It's not a pretty sight. The humans of the future look like a cross between an Upper West Side liberal's stereotype of the typical Wal-Mart shopper and the same New Yorker's iPhone-obsessed, always-texting teenage kids: We've turned morbidly obese, with vestigial legs that can't support our vast, Slurpee-guzzling frames, and we float around the *Axiom* on hovering recliners, chattering away Bluetooth-style while computer screens are projected permanently in front of our piggish eyes. An army of robots caters to our every whim, while Buy N Large propaganda fills every screen and airwave with a gentle, insistent imperative: more, more, *more.*

So yes: This is a political movie, in which a critique of American consumerism is wedded to fears of ecological catastrophe, and the recovery of our humanity, the theme of the film's second half, is explicitly linked to an agrarian humanism that ought to warm the hearts of Wendell Berry fans and Michael Pollan obsessives, liberal and (crunchy) conservative alike.

But, more important, it's a *good* political movie: one that complicates its arguments instead of oversimplifying them, and keeps enough distance from contemporary debates (save for one unfortunate Dubya shout-out in a speech from Buy N Large's hapless CEO-president) to make its themes feel universal, rather than partisan. It leans to the left—or to the Kirkian Right—playfully rather than ponderously, in much the same way that *The Incredibles*, another Pixar production, leaned libertarian, with its tale of superheroes shackled by lawsuits and red tape. Which makes it that rarest of cultural artifacts, especially in this season of polarization: a politically inflected movie that you don't have to agree with entirely to enjoy. **NR**

■ THE STRAGGLER ■

Distant Voices



JOHN DERBYSHIRE

‘TOVARISHCHI! *Grazhdanye! Bratya i syostri! Boitsy nashei armii i flota! K’vam obrashschayus ya, druzya moi . . .”*

One listens in fascination to the man’s recorded voice, then goes to one’s books. Edvard Radzinsky: “On July 3 Stalin at last made his long-awaited appeal to the people: ‘Comrades! Citizens! Brothers and sisters! Warriors of the army and the fleet! I call upon you, my friends . . . ’ ” That was eleven days after Hitler’s attack on the USSR in 1941; days that Stalin, according to Molotov, spent in a state of “paralysis.” The Wehrmacht had easily punched through Stalin’s forward defenses and was deep in Russian territory.

Ivan Maisky tells us that the speech was not a success, being delivered in “a dull colorless voice” with Stalin “often stopping and breathing heavily.” The recording confirms this. The despot was not at his oratorical best. One imagines the *boitsy* of the *armii* and *flota*—those not already slaughtered in the preceding eleven days, or rounded up for shipment to hellish POW camps (400,000 prisoners taken at Minsk alone)—listening in dismay, thinking to themselves, though of course not saying out loud: “This is our nation’s leader?”

Stalin’s speech is one of many historical sound snippets I have been listening to since seeing an ad in the London magazine *The Literary Review*. The ad offered selections from the sound archive of the British Library, in CD format at modest prices. I bought three items. Stalin’s voice comes from the first: a two-disc “Voices of History” set, which also includes Trotsky (speaking in English), Lenin, and Hitler, along with a host of other 20th-century notables and a couple of 19th-century ones: Florence Nightingale and W. E. Gladstone, recorded in 1890 and 1888 respectively. My second item was a CD containing five radio recordings of Evelyn Waugh; my third, one of poets reading their own work.

The poets are a mixed bag. From the British Library CD one could fairly deduce that, as a general rule, poets ought to be forbidden by law to read their verses out loud, with FINES DOUBLED (as highway signs say) if the poet attempts to sing his productions, as Hilaire Belloc and Edith Sitwell both do. I don’t mind Sitwell, whose poems I never cared about, but Belloc’s “Tarantella” is an old favorite of mine. To hear the poet himself singing it very incompetently is distressing, especially when, as my mother used to say disapprovingly of Elvis Presley, “the man can’t even *enunciate* properly.”

The poetry selections are unbalanced, too. Forty-five seconds of Kipling and 48 of Robert Frost, then seven minutes of Ezra Pound? The old fraud’s comrade in fraudulence, T. S. Eliot, gets seven and a half to tell us about his wretched yellow fog rubbing its back on the darn window panes—one of the clumsiest, most strained metaphors in the history of published verse. And, passing from mere pretentiousness to rank gibberish, here is *nearly four minutes* of Gertrude Stein—three and a half more than any human being ever wanted.

At least the good poems, even when not well read, shine brighter for the dross around them. Siegfried Sassoon’s “Attack” makes vivid the most extreme of all experiences:

> . . . hope, with furtive eyes and grappling
> fists,
> Flounders in mud. O Jesus, make it stop!

W. B. Yeats, in some introductory remarks, displays that vein of pompous silliness that Auden noted in his obituary tribute. Declares Yeats: “I am going to read my poems with great emphasis upon the rhythm. . . . It gave me a devil of a lot of trouble to get into verse the poems that I am going to read, and that is why I *will not* read them as if they were prose.” He proceeds to give a plonking rendition of “Innisfree,” sounding like a schoolboy who has just learned scansion.

(Yeats came to hate that poem through having been asked to recite it so often. Says his biographer: “Hugh Kingsmill saw him in Switzerland in 1924, reciting ‘Innisfree’ with an air of suppressed loathing.” The British Library recording is from 1932.)

Waugh is less fun than I had hoped, his multiple affectations jostling audibly for precedence in his spoken words. The best selection is his inquisition by three interviewers on the 1953 radio program *Frankly Speaking*. Though not an especially good speaker, Waugh was a great interviewee. Was he happy at school? “No.” Why was he unhappy? “I hated the boys.” Asked about his pastimes, Waugh declares himself a collector of paintings. Contemporary paintings? “Oh no, no. *Real* paintings.” (There is a fictional recreation of the interview in *The Ordeal of Gilbert Pinfold*.)

Among all the technological wonders of the 20th century, did any really compare with the two great recording achievements of the 19th: the camera and the phonograph? I have read somewhere of the wondering awe felt by the earliest portrait photographers as their subjects’ faces slowly appeared in all their miniature accuracy from the developing fluid. Sound recording followed 40 years later, and took longer to attain high fidelity, but now at last there is nothing left unrecorded. The least of us routinely leer into lenses and mumble into microphones. The past, once silent, is now full of noises, like Caliban’s island. Wasn’t Caliban a monster, though? And wasn’t silence once said to be golden?

The science-fiction writer J. G. Ballard wrote a story, “The Sound-Sweep,” on the premise that sounds impress themselves not only on machines especially designed to record them, but also, to some minuscule degree, on *everything*. In the story, advances in musical technology have made people hyper-sensitive to sounds “recorded” thus, so that the story’s protagonist can make a living by going around with his sonovac, sweeping up unwanted sound residues from household interiors.

It’s fanciful, even by sci-fi standards, yet these old British Library selections leave one wondering whether the human race is improved for having had our fleeting sense impressions made permanent in the world of matter; or whether those impressions are better left to fade and die on the air, as they did before Daguerre and Edison came along to capture them. Is some inventor somewhere working on the sonovac? I think I’d be in the market for one. **NR**

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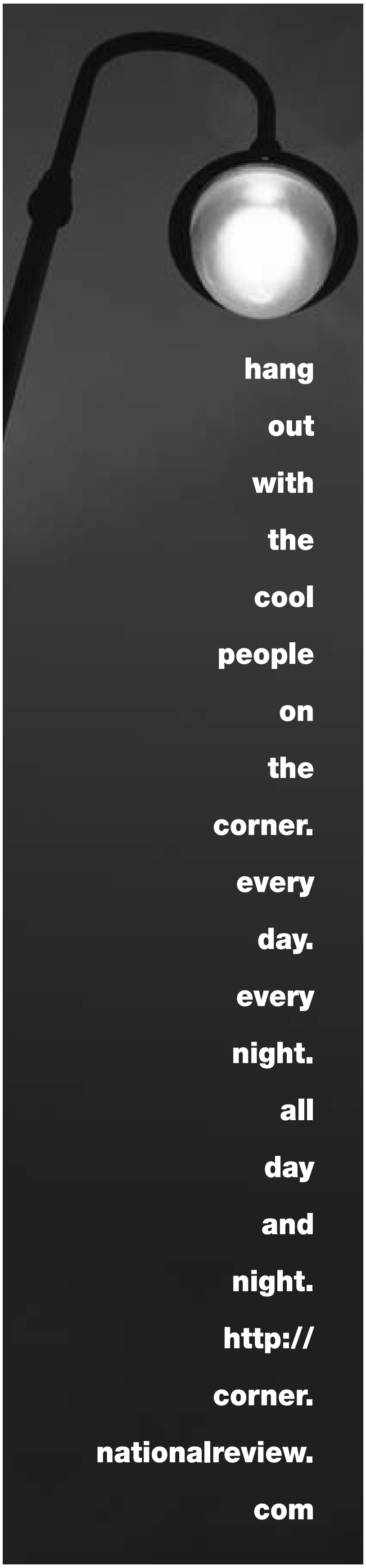


but enough about you

CHRISTOPHER BUCKLEY

VP Questionnaire

As vice president, my highest priority would be to:

A. Support the president's agenda.
B. Quietly leak it to leading columnists that I completely disagree with the president's less-popular policies.
C. Attend as many funerals of foreign leaders as possible.
D. Position myself to run for president in four years.

Complete John Nance Garner's famous sentence: "The vice presidency is not worth . . ."

A. A bucket of warm piss.
B. A bucket of warm spit.
C. A bucket of live worms.
D. A bucket of dead tarantulas.

The quality I most admire in the presidential nominee is his:

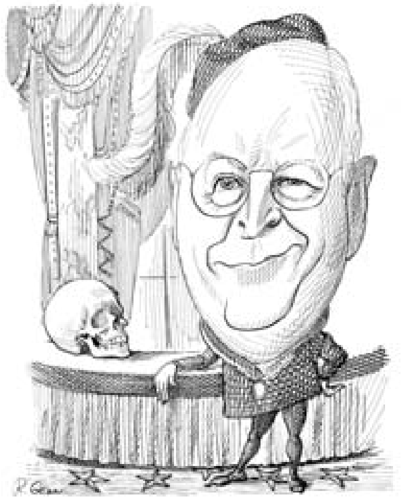
A. Vision for America's future.
B. Willingness to work across party lines for the common good.
C. Personal hygiene.
D. Willingness to reverse his long-held positions on fundamental issues for the sake of marginal electoral votes.

If the president were incapacitated and I had to assume executive responsibilities under the provisions of the 25th Amendment, the first thing I would do is:

A. Emphasize "continuity."
B. Party down!
C. Have the president declared legally dead and bury him at Arlington.
D. Redecorate the Oval Office to match my coloring.

In my capacity as president of the Senate, in the event of a tie vote, I would:

A. Seek instructions from the president.
B. Announce that the issue will be decided by a coin toss.
C. Dress in tights and recite Hamlet's "To be or not to be" soliloquy from the rostrum.
D. Quietly put out word to the interested competing lobbies that my vacation home is in need of extensive renovation.


ROMAN GENN

The vice president I most identify with is:

A. Dan Quayle.
B. Dick Cheney.
C. Andrew Johnson.
D. Hillary Clinton.

In my acceptance speech at the convention, I would pledge to:

A. Restore dignity to the office of the vice presidency.
B. Work tirelessly to advance the president's agenda.
C. Have lunch every Wednesday with the president.
D. Not tell Senator Leahy to go f*** himself.
E. Tell Senator Leahy to go f*** himself every chance I get.

As vice president, I would see my role primarily as:

A. A member of the team.
B. Next in line.
C. Eddie Haskell.
D. Iago.

If the president said to me, "I need you to take the fall for the administration on this one," I would tell him:

A. "Of course, sir. That's what I'm here for."
B. "You said that last week."
C. "You give and you give, and it's take, take, take."
D. "For *this* I went to law school?"

In the event my chief of staff leaked sensitive national-security information to the media in an attempt to make me look good, I would immediately:

A. Express outrage.
B. Tearfully announce that "he was like a son to me" and throw him over the side.
C. Make damn sure I was protected.
D. Start searching for a new chief of staff just like the old one.

If it were leaked that my name was on the short list of vice-presidential possibilities, I would issue a statement saying that I am:

A. Not worthy to fasten the sandal strap of the presidential nominee.
B. Not worthy to touch the hem of the garment of the presidential nominee.
C. Twice the man the presidential nominee is.
D. Kind of busy right now, but might be able to find a hole in my fall schedule. **NR**

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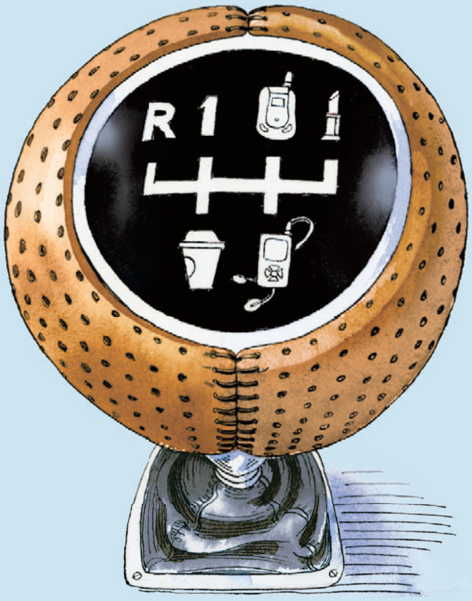
Remember all the stupid things you did behind the wheel when you were a teenager?

NOW ADD A CELL PHONE, A VANILLA SOY LATTE AND AN MP3 PLAYER.



Whether texting, drinking or scrolling through songs, multitasking doubles the risk of having an accident.[1]

Allstate believes there are ways we can help teens curb many of their dangerous driving behaviors:

BAN DIGITAL DISTRACTIONS.
Legislation banning some distractions can help discourage teen multitasking. The State of California has now banned anyone under the age of 18 from using cell phones, laptop computers, pagers or any text-messaging device while driving, except in the case of an emergency.

PUT LIMITS ON TEEN DRIVING.
Graduated Driver Licensing (GDL) laws restrict teen driving so kids can gain experience safely. Since North Carolina implemented one of the most comprehensive GDL laws in the country, it has seen a 25% decline in crashes involving 16-year-olds.

HAVE THE DRIVING TALK.
It may be surprising, but 75% of teens said their parents would be the best influence in getting them to drive more safely.[2] The Allstate Parent-Teen Driving Contract can help start the conversation about many driving behaviors, including multitasking. **Contact an Allstate Agent to get a copy or visit Allstate.com/teen for the interactive contract.**

Let's help teens shift their driving behaviors.

It's time to make the world a safer place to drive.
THAT'S ALLSTATE'S STAND

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Life
Retirement

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[1] NHTSA 100 Car Driving Study, 2006. [2] The Allstate Foundation Report on Teen Driving, 2005.